The New REPUBLIC

A Journal of Opinion

VOL. XLVI NEW YORK, WEDNESDAY, MARCH 31, 1926 NUMBER 591

Contents

The Week 153

Editorials

Locarno vs. Geneva 156
The Supreme Court as Legislator 158
Consider the Belgian Franc 159

General Articles

Railroad Consolidation ..... George Soule 161
The Ohio Gang Again ..... Bruce Bliven 164
A Siamese Precedent for China ..... Robert Morss Lovett 167
A Sonnet Sequence (verse) ..... Louis Untermeyer 169
Washington Notes ..... T. R. B. 169
Portraits in Encaustic ..... Stark Young 171
Personality and Identification ..... Leo Stein 172
Dramatic Notes ..... S. Y. 173

Correspondence 174

Reviews of Books

Russia in War Time ..... William L. Langer 175
Mines into Factories ..... Edward A. Wieck 176
Who Is Florida? ..... R. L. Duffus 177
Personable Melodrama ..... E. B. Holden 178
Instructive Criticism ..... Dorothy Bacon Woolsey 178
Old Days in Italy ..... Grace Frank 179
A Poet for the Negro Race ..... Eric Walrond 179
Representative Plays by American Dramatists ..... H. S. 179

The Week

THE failure of the negotiations at Geneva—for it was nothing less—has resulted in a holiday for the rumor mongers. Brazil's fatal stubbornness was inspired by Italy, was inspired by France, was inspired by Sir Austen Chamberlain in person. For our own part, we do not know which, if any, of these stories is correct, and we do not believe anyone else does, except the diplomats of the nations involved. We are further of the belief that Brazil may even have acted on her own responsibility, in an exhibition of that passionate patriotism which is so often evidenced in Latin-America. As we point out in a leading article elsewhere in this issue, the important fact about the whole negotiation is the revelation that Europe is not yet ready really to accept the spirit of Locarno, and certainly was not at the time that much-heralded arrangement was made. Until she is, we think it is better that the facts be faced openly and the technical situation in regard to German membership in the League be left alone. Things are, after all, no worse than they were up to the time when the Locarno agreements were signed. It may even be argued that they are better, in so far as the hypocritical allegiance of some of the political leaders to the "new order" has been revealed for what it is. In the painfully slow advance of Europe toward the substitution of law for war, the moment has come when it is necessary to dig in for a time in order to avoid the necessity for a retreat.

IN SAYING this, we do not wish to minimize the extremely grave situation which exists. The failure at Geneva has done the League enormous harm; and this is particularly true as regards public opinion in the United States. The change in the international atmosphere has diminished the remote likelihood that the disarmament conference can succeed, if and when it is ever held. Even the preliminary conference will confront grave obstacles, not the least of which is the probable refusal of the U. S. S. R. to take part. The influence of Mussolini, and his Fascist allies in Bavaria, Hungary and Rumania, is constantly felt and always in activities designed to break down the influence of the League and create as much international ill-will as possible. Finally, the whole situation is made worse by the fact that the French government is only a temporary makeshift and may fall again at any moment over the hopeless muddle of internal finance; and that the German government as well is none too strong, and may easily be succeeded by one far less conciliatory toward the Allies and the League.

THE situation in the Far East is again one of the greatest tension and danger. In Manchuria, Japan and Russia are quarreling more seriously than at any time since the Russo-Japanese war. The conflict at present centres around the Chinese Eastern railway, and the immediate cause of friction is the refusal of the railway officials to permit free passage to the troops of Japan's friend, the Manchurian General Chang Tso-lin. In China proper, an equally critical situation has developed. In the course of the campaign between Feng Yu-hsiang,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

military overlord of the existing Peking government, and Chang Tso-lin, the former's army occupied the forts at Taku, the port of Tientsin, and either sowed mines in the channel or pretended to do so, to prevent the landing of Chang Tso-lin's troops. This action violated an agreement made in 1901 with the major western powers. These addressed a strong note of protest to the Foreign Office of the Peking government, and backed up this diplomatic move by ordering a heavy concentration of warships, including additional American destroyers, in Chinese waters. Under the circumstances, the Peking government had no alternative but to obey, which it did. A few days later came the news that Feng Yu-hsiang's army had been forced to abandon Tientsin, and is falling back toward Peking. This development, naturally, is interpreted as being connected with the action of the powers, which virtually made themselves the allies of Chang Tso-lin by their policy.

MEANWHILE, a meeting of Chinese students was held last week in Peking to protest against the government's acceptance of the ultimatum by the powers. Seeking to push their way into the offices occupied by the Cabinet, they were met and halted by the government's guards. An altercation followed which resulted in firing by the latter, in the course of which forty students were killed and more than a hundred others wounded. One result of this incident has been a great loss of prestige by the present executive, Tuan Chi-jui, and his government; his cabinet has resigned, but agreed to stay in office temporarily. Another consequence is a renewed outburst of anti-foreign feeling, since the students' demonstration was a protest against the demand of the western powers. The whole situation is threatening in the extreme. Whatever good will America may have accumulated in the past by an attitude which the Chinese, rightly or wrongly, have interpreted as being less predatory than that of the European nations, seems in danger of being dissipated as we continue to join with the other powers in demands upon China which were backed by force and nothing else in 1901 and are backed by force and nothing else today.

ONCE again one of the Southern states is under fire because of the barbarous treatment of convicts. This time it is Alabama, and the indictment comes, not from any hostile Northern critic, but from her own Attorney-General. He makes the charge that a convict in one of the state-operated prison mines was subjected to such appalling tortures that he died, partly as a result of these tortures and partly through heart-failure induced by fear of their continuance. According to what seems to be reliable testimony, the prison warden ordered bichloride of mercury to be forced into the dead man's stomach in order to justify the assertion that he committed suicide. This is an appalling story; but from the report of the Attorney-General, and from facts unearthed in an independent investigation by the New York World, it is plain that the treatment meted out to this convict was typical rather than exceptional; that the only unusual feature was the fact of his death; and that the situation, but for an accident, might never have been uncovered at all.

IN ALABAMA, 51 out of 67 counties are in the habit of leasing out their convicts at a flat rate per head to private individuals, who use them in coal mines and saw mills, on roads and farms, and otherwise. There is virtually no supervision of the treatment accorded these men, and ample evidence to show that they are cruelly beaten and otherwise abused in order to extract from them the maximum amount of labor. The state itself formerly leased out its prisoners in the same way; but some time ago substituted another system. It has taken over several coal mines, which are operated with convict labor: last year, three such mines earned a net profit of half a million dollars on the labor of fifteen hundred men. The work is supervised by "trusties" who are given a share in the profits from the work of the men under them, after a fixed minimum amount of coal has been mined. Some of these "trusties" are desperate characters, who use the cruelest measures in order to force more work and enhance their own profits. Men are habitually flogged with trolley wire or hickory sticks. They are also confined, for periods up to forty-eight hours, in "dog houses"—narrow wooden coffins which hold the victim as in a strait jacket and are said to inflict the greatest suffering.

MINING coal is at best a difficult and exhausting type of labor, requiring skill and some natural aptitude. The convicts who are set at it are, of course, men who have previously practiced all sorts of occupations and professions. Some of them are probably unfit for such labor, as was the convict, James Knox, who was killed only five days after being incarcerated. Five feet five inches tall, he weighed more than two hundred pounds and was "of enormous girth." Such a man could not mine coal effectively no matter how hard he tried; and that fact should have been obvious to the brutal life-term "trusty" and the warden who are charged with having, between them, done him to death. It is no wonder that prisoners have been known to resort to self-mutilation in order to avoid working on the coal. All in all it is a terrible story which has been revealed; and one, moreover, which is no news to the state officials of Alabama. They have known for a long time that conditions were bad; and in fact, a law ameliorating the worst of the evils was passed several years ago; but successive administrations have postponed putting it into effect. If the death of Knox does not make them at last see the desirability of doing so, what will?

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FROM the pages of the always interesting Journal of the Brotherhood of Locomotive Engineers we learn of a remarkable new enterprise of this organization, through its subsidiary, the B. of L. E. Realty Corporation. The engineers have bought 30,000 acres of land on the Florida West Coast, where they are planning to create a new city to be called Venice. More than $2,500,000 is being spent on dredging a deep harbor, and in laying out a city for 50,000 people, with an industrial section as well as residences. The enterprise has already earned the respectful comment of business and financial leaders. Their general verdict is that the engineers, despite their announced determination not to profiteer, will make a very good thing out their enterprise. Incidentally, the city plan is said to be the best which has been used in any Florida development.

THERE is nothing in this effort to surprise any American who has watched the rise of the labor banking movement, and has noted such previous enterprises by the B. of L. E. as its purchase of a coal mine. It may, however, prove startling to Europeans, who are unaccustomed to the ease with which the better-paid, highly-unionized American workers can shift from the typical labor attitude to that of the capitalist. Our own criticism, however, is from another point of view. Nowhere in the prospectus is there any hint that the engineers will act other than as any real estate promoter does, selling off lots and therefore allowing the unearned increment in land value to accumulate and penalize all who live and work in Venice, for the benefit of the landlord. We feel this a highly regrettable waste of opportunity. By retaining title to all the land, and granting long-term leases, the Brotherhood might have made as much or more money, and produced in America a really intelligently-planned community, like the highly-successful Letchworth and Welwyn in England. If it is not too late, we suggest that even now they revise their plans. Otherwise they are throwing away a golden chance to demonstrate how much the average American worker is forced to contribute unjustly and unnecessarily to the pockets of those who merely own the land.

THERE is a danger that consideration of the indefensible wages, working conditions and labor policy in the Passaic woollen mills which led to the current strike will degenerate into a discussion of whether the strikers' leader, Weisbord, is a Communist. People seem to assume that if the conditions are bad, then there can be no fault found with Weisbord, but if Weisbord is a revolutionary, then conditions are not bad. This is a superficial and sterile position to take. We believe that conditions are extremely bad and that the strike has ample justification. At the same time we believe that Weisbord is a Communist. It is important to recognize both facts at the beginning. In order to remedy the conditions and keep them remedied it is necessary to bring about conferences between the employers and representatives of the strikers, to establish collective bargaining, and to weld the employes into a permanent union. If this can be done through Weisbord, then his Communism does not matter. For it will have led, not to a violent revolution, a dictatorship of the proletariat and a Soviet republic, but to a trade union and bargaining over wages, conditions and hours, which, so long as it functions effectively, will act as any other trade union would act in the circumstances. It may be, as charged, that Weisbord does not want such a result, but merely desires to stir up a spirit of revolt among the workers. If that is so, there is no better way to demonstrate it than for the employers to attempt to reach an agreement with the strikers. If it is so, his purpose could not be better served than by a refusal to negotiate and a continuance of the indefensible working conditions.

COMMUNIST agitation has, it is true, created troublesome problems for trade unions, and this doubtless accounts for the reluctance of the United Textile workers, the national A. F. of L. union, to take charge of the Passaic strike. Not merely conservative unions, but progressive ones, and not merely A. F. of L. unions, but unaffiliated unions like the Amalgamated Clothing Workers, have been forced to take measures against the Communists within their ranks. Nevertheless we are informed that the strike meetings are not being used as a vehicle for revolutionary propaganda. It is also true that the United Textile Workers and other A. F. of L. forces, if they have not taken active responsibility for the situation, have at least helped in some ways and have refrained from any action that might injure the solidarity of the strikers or interfere with their chances of success. Here is an opportunity for further union statesmanship. The presence of Weisbord doubtless creates difficulties for organized labor, but if organized labor can give active help, his presence ought not to be an insuperable obstacle unless he makes it so.

THE newspaper poll on prohibition has tabulated more votes than have ever, to our recollection, been counted before in an unofficial referendum of this sort. The final figures are based on about three and a half million ballots; and they indicate a five-to-one majority in favor of some sort of change. The 375 newspapers coöperating with the Newspaper Enterprise Association rolled up 297,000 votes for prohibition, 499,000 for repeal, and 777,000 for modification to permit light wines and beer. The Hearst newspapers and others which aided them registered 187,000 votes for prohibition and 898,000 against; 1,010,000 for wine and beer, 178,000 against. The Chicago Tribune and its associates received 340,000 votes for wine and beer,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

35,000 against. Only Kansas, North and South Carolina actually voted dry. In general, as might have been expected, the smaller the community the larger the proportionate vote for prohibition: a fact which suggests that there may be a strong rural dry element which the poll did not reach. No one can pretend, of course, that such a straw vote as this is conclusive. The conditions under which it was taken necessarily made for error and incompleteness. Nevertheless, this unexpected outcome has enormously heartened the wets. They may now be heard on every hand proposing that the Volstead law be repealed or modified, or that each of the states should be allowed to say for itself what degree of dampness it prefers, without federal interference. Congress is about to hold hearings on the matter at which no doubt these various proposals will be duly aired. All in all, it is safe to predict that the question will remain one of the major issues in American politics for a long time to come.

Locarno vs. Geneva

THE recent failure of the Council to devise any acceptable way of admitting Germany to the League of Nations and the postponement of the decision until the fall has filled the mansions of peace and reconciliation throughout the world with consternation. The enemies of the League in this country and in France are jubilant. Its friends are silent and sombre. It is a question whether the tender plant which was raised from the seed at Locarno can survive the buffets of the unfriendly world into which it was born. Valid reasons for an affirmative answer to the question are not easy to invent. If the spirit of national self-assertion and jealousy which obtained expression recently at Geneva continues to prevail, there will be no union of Europe except as the result of conquest, and the League will have to confine its future work to the less controversial matters of international administration.

It would be mere self-delusion to deny that there are not grave reasons for this pessimism. The future of peace and consequently of social order in Europe is fundamentally precarious. The revelation of how precarious it was began in August, 1914, when diplomacy was unable to prevent the outbreak of war. It became more precarious during the following years when all the belligerent nations insisted upon fighting to the bitter end for political objects which could be attained only by complete military victory. Its precariousness was written into public law in June, 1919, when the triumphant Allies forced the Germans to sign a treaty which contained the germs of a score of future wars. In the course of the next five years these incipient wars began to cast shadows on the wall in anticipation of fatal events and forced on statesmen some effort to check the oncoming dissolution of Europe. The Locarno agreements were framed in order to neutralize what appeared to be the gravest cause of future conflict—the threat of international aggression. They were intended to counteract the really desperate danger of another general conflagration, but, of course, the hostile states of mind and the warfare of self-righteous interests which caused the danger did not vanish with the signing of the agreement. On the contrary they revived in a peculiarly malevolent form and prevented its consummation. But their victory and the pessimism and alarm which, as the result of that victory, has swept over Europe may itself provide the remedy. The Great Powers negotiated the Locarno settlement in order to escape from a grievous and an imminent danger. Will they abandon their refuge if and when the danger becomes more grievous?

The breakdown at Geneva involved one paradox which deserves more attention than it has received. It was Stresemann, Chamberlain and Briand who negotiated the Locarno agreements. It was Stresemann, Chamberlain and Briand who, when they tried to carry the agreements out, failed and were obliged to adjourn. It was finally the same three men who, after they had failed, nevertheless paid eloquent personal tributes to one another's good faith and insisted that the well known spirit of Locarno was as much alive as ever. For our part we accept their testimony. The spirit of Locarno was never very much alive in them or anybody else, but it is as much alive as ever. If it is carefully protected against frosts by a glass bell and if it is cultivated at sufficient expense and labor, it may still survive. The fact that the men who brought Locarno into existence themselves imperiled its survival without admitting any loss of interest and confidence in their own handiwork is an indication of the vitality as well as of the fragility of their plant. At the very moment when they stunted its growth, they proclaimed that they would never allow it to die. Not precisely a logical performance, but to our mind an impressive demonstration of a kind of involuntary and stubborn sincerity.

Briand, Chamberlain and to a less extent Stresemann are being pulled in opposite directions by almost equally imperative motives. On the one hand the whole fabric of political and social order in Europe is precarious and cannot be strengthened without assuring to all European people a larger measure of security with a larger measure of justice. On the other hand they are fatally handicapped in carrying out relief measures by the fact that the organization of Europe, established by the Treaty of Versailles, intimately associates peace with insecurity and legal rights with injustice. They succeeded last year by a diplomatic tour de force in obtaining formal signatures to a series of agreements which tend to increase security without giving any additional authority to the established provocations to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

disorder, but as soon as they tried to carry the agreements into effect they ran into one of those obstacles which the Treaty of Versailles will always interpose against new projects to associate law and order in Europe with justice. Some of the most flagrant of the discriminations against Germany of that document were born of the supposed settlement of her relations with Poland and the Poles became alarmed lest the admission of Germany as a permanent member of the Council would give their victim a strategic advantage in any future manœuvring for redress of grievances. Apparently Briand and Chamberlain obtained the signature of Poland to the Locarno agreements by some promise to admit a Polish representative to the Council at the time of Germany's admission and on similar terms, and the attempt by Briand and Chamberlain to redeem this promise resulted in turning a meeting of the League Council which was supposed to make for European reconciliation into a little imitation of the Paris Conference. Finally the atmosphere became so over-heated and the penalties of arranging a compromise so costly that Chamberlain and Briand, with the consent of Stresemann, considered it wiser to postpone action and to wait for fairer weather. But they did not adjourn without testifying to their continued faith in the spirit of the agreements which they had failed so wretchedly to carry out.

Messrs. Houghton and Gibson, we are told, informed the President that the adjournment left the peace of Europe gravely imperiled. They are no doubt right, but the peril is no new thing. In the present circumstances it is better in our opinion to postpone any further action than to negotiate unstable agreements which would thereafter be advertised as helps rather than hindrances to stability and peace. They failed to reach an agreement at Geneva, not because of Spanish or Brazilian intransigeance but because Chamberlain, Briand and Stresemann were all afraid of the effect on their political fortunes of presenting the only possible compromise to their own parliaments. Their failure is fortunate. For a compromise which admitted Germany to some inferior status in the League would not have made for peace, yet it would have been hailed as a sufficient ground for renewed complacency. The most effective constructive force in Europe at present is apprehension of the imminent danger of leaving things as they are. Only the motive to guard against disaster is sufficiently imperative to induce European statesmen to deal in a thoroughly radical manner with the cause of European disorder. Whenever their fears are momentarily allayed, the exclusive nationalism which prevailed during the Paris Conference and determined the treaty of peace revives and disorder, suspicion, apprehension and animosity are again unloosed. European borrowers and American bankers conspire to under-estimate the danger of disaster, for they conceive political reconstruction as a function of the restoration of business, and they know that without liberal credits, European trade will remain stagnant. They take advantage of every modus vivendi such as the Dawes plan or the Locarno agreements to convince possible American investors that Europe has suddenly become a good risk. It looks as if the message which Mr. Houghton brought to the President was published for the purpose of warning the American public.

As a matter of fact little or nothing has been done as yet to alleviate the instability which was born of the victory of the Allies and the use which they made of it. The history of Europe since 1919 has consisted of a sad and dreary confirmation of the prediction of those liberals and socialists who protested against the tendency of the treaty of peace to give the sanction of public law to so many poisonous international injustices and discriminations. Locarno was the first attempt to rebuild Europe on a more just and realistic legal foundation, but in so far as it proposed to build a better Europe without preparing to undertake the destruction of its predecessor it was tantamount to a pious but ineffectual aspiration. When the dove of Locarno flew to Geneva, it was straightway pierced by the arrow of Versailles. All the nations which determine the policy of the League profit from a treaty whose provisions foment international insecurity and hostility. The League will never be able to organize peace in Europe until it is powerful and independent enough to project the revision of the treaty, and it is still far from being either independent or powerful enough to do that.

Europe will be rescued and reconstructed not in the beginning by voluntary good intentions, but by coercion. The coercion will not be exercised by any one nation or any group of nations, but by the dangerous results of a refusal to reconstruct. Some of these results will develop before the League reassembles in September. The governments of which Messrs. Briand, Chamberlain and Stresemann form a part are all faced by domestic problems which are insoluble except in an international atmosphere of mutual confidence and good will. This is particularly true of Briand. The inability of one French government after another to find a way out of the financial predicament is steadily undermining the prestige and power of that country in Europe and consequently of the treaty whose provisions were determined chiefly by the initiative of French statesmen. Ever since M. Poincaré's Ruhr and Rhineland adventure failed French policy has suffered one reverse after another. It has retreated somewhat, but it will have to retreat much further before the League of Nations can admit Germany to a place in its counsels as influential as those of France and Great Britain and before Geneva rather than Locarno will be used to symbolize the all-desirable process of European pacification.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Supreme Court as Legislator

IN these pages we have frequently called attention to the enormous growth in control over state legislation exercised by the veto power of the Supreme Court. Through its steady expansion of the meaningless meaning of the "due process" clause of the Fourteenth Amendment the Supreme Court is putting constitutional compulsion behind the private judgment of its members upon disputed and difficult questions of social policy. A growing body of decisions, all spun out of the boundless provision "nor shall any state deprive any person of life, liberty or property, without due process of law," is intervening almost at every point of legislative activity by the individual states in matters confessedly of local concern, dealing solely with local situations and expressing remedies derived from local experience.

During the last ten years the Supreme Court has invalidated such local action with increasing ruthlessness, at the same time that it has professed, when dealing with federal legislation like the first Child Labor law, to be peculiarly solicitous of the vital interests of the states in the equilibrium of our federal system. The veto power of the Supreme Court, thus exercised through the due process clause over the social legislation of individual states, is the most vulnerable aspect of undue centralization; it is at once the most destructive and the least responsible. The most destructive, because judicial nullification on grounds of constitutionality stops experimentation at its source; it debars an increase to the fund of social knowledge by scientific tests of trial and error. The least responsible, because it so often turns on the accidents which determine a majority decision of the Supreme Court, and shelters the fallible and remote judgment in fields of fact and opinion not peculiarly within the special competence of judges behind the impersonal dooms of the Constitution.

The upas-tree growth of this penetrating negation of state action by the Supreme Court has now aroused the concern of the historian of the Supreme Court, Mr. Charles Warren, who, in the Harvard Law Review, raises the question as to the value of continuing the due process clause of the Fourteenth Amendment. The New Republic has long been convinced that in cramping necessary experimentation by the different states, in sapping the independence of legislatures who gladly "pass the buck" to the courts, in mutilating the educative process of responsibility by a democratic electorate, the costs of the due process clause outweigh its gains.

The Supreme Court has just handed down two decisions which furnish cumulative evidence of this modern process of controlling the intimate life of the states by five or six judges. The first case concerned the very difficult problem of stopping evasion of death duties by distribution of wealth in an owner's lifetime. The second presented a phase of the widespread effort to protect the community from disease through the use of shoddy. In both instances the Court had before it legislation which represented the conscientious response of various states, made in various ways, to pressing problems of industrialized society. In both cases tolerance for legislative discretion was sufficient to carry the day for the legislation. In both cases the majority of the Court disregarded experience and tenable assumptions on which the local legislatures may well have acted, but against which the Supreme Court set its own opinions, its own facts and evaluation of them. In both instances the Supreme Court, in effect, enforced its own judgment of what was fair legislation and what was unfair, but in both instances it identified its own opinion of fairness and reason with "constitutional guaranties."

How dubious these "guaranties," how ambiguous the Delphic oracles of the Constitution, which a majority of the Court are able to hear so unequivocally, is demonstrated by the two crushing dissenting opinions by Mr. Justice Holmes. In the first case he wrote as follows:

> If the Fourteenth Amendment were now before us for the first time I should think that it ought to be construed more narrowly than it has been construed in the past. But even now it seems to me not too late to urge that in dealing with state legislation upon matters of substantive law we should avoid with great caution attempts to substitute our judgment for that of the body whose business it is in the first place, with regard to questions of domestic policy that fairly are open to debate.
>
> The present seems to me one of those questions. I leave aside the broader issues that might be considered and take the statute as it is written, putting the tax on the ground of an absolute presumption that gifts of a material part of the donor's estate made within six years of his death were made in contemplation of death. If the time were six months instead of six years I hardly think that the power of the state to pass the law would be denied, as the difficulty of proof would warrant making the presumption absolute; and while I should not dream of asking where the line can be drawn, since the great body of the law consists in drawing such lines, yet when you realize that you are dealing with a matter of degree you must realize that reasonable men may differ widely as to the place where the line should fall. I think that our discussion should end if we admit what I certainly believe, that reasonable men might regard six years as not too remote. Of course many gifts will be hit by the tax that were made with no contemplation of death. But the law allows a penumbra to be embraced that goes beyond the outline of its object in order that the object may be secured. A typical instance is the prohibition of the sale of unintoxicating malt liquors in order to make effective a prohibition of the sale of beer. The power "is not to be denied simply because some innocent articles or

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

transactions may be found within the proscribed class." . . .

I am not prepared to say that the legislature of Wisconsin, which is better able to judge than I am, might not believe, as the Supreme Court of the state confidently affirms, that by far the larger proportion of the gifts coming under the statute actually were made in contemplation of death. I am not prepared to say that if the legislature held that belief, it might not extend the tax to gifts made within six years of death in order to make sure that its policy of taxation should not be escaped. I think that with the states as with Congress when the means are not prohibited and are calculated to effect the object we ought not to inquire into the degree of the necessity for resorting to them. . . .

It may be worth noticing that the gifts of millions taxed in this case were made from about four years before the death to a little over one year, the last being after the donor had had an attack of angina pectoris, although he is said to have attributed his sufferings to a less serious cause. The statute is not called upon in its full force in order to justify this tax. If I thought it necessary I should ask myself whether it should not be construed as intending to get as near to six years as it constitutionally could, and whether it would be bad for a year and a month.

A week later in the Shoddy case Mr. Justice Holmes again preached his lesson of forbearance and due deference to the legislative discretion:

If the Legislature of Pennsylvania was of opinion that disease is likely to be spread by the use of unsterilized shoddy in comfortables I do not suppose that this Court would pronounce the opinion so manifestly absurd that it could not be acted upon. If we should not, then I think that we ought to assume the opinion to be right for the purpose of testing the law. The Legislature may have been of opinion further that the actual practice of filling comfortables with unsterilized shoddy gathered from filthy floors was widespread, and this again we must assume to be true. It is admitted to be impossible to distinguish the innocent from the infected product in any practicable way, when it is made up into the comfortables. On these premises, if the Legislature regarded the danger as very great and inspection and tagging as inadequate remedies, it seems to me that in order to prevent the spread of disease it constitutionally could forbid any use of shoddy for bedding and upholstery. . . .

It is said that there was unjustifiable discrimination. A classification is not to be pronounced arbitrarily because it goes on practical grounds and attacks only those objects that exhibit or foster an evil on a large scale. It is not required to be mathematically precise and to embrace every case that theoretically is capable of doing the same harm. If the law presumably hits the evil where it is most felt, it is not to be overthrown because there are other instances to which it might have been applied.

It only remains to add the encouraging fact that in these two dissents Mr. Justice Holmes had the concurrence of Mr. Justice Stone as well as that of Mr. Justice Brandeis.

Consider the Belgian Franc

THIS is not to be a technical examination of foreign exchange, but a comment on American isolation from European affairs.

While we were watching the curious revelations of the League of Nations meeting and were speculating on what had happened to the spirit of Locarno, while Ambassador Houghton was reporting his observations on the attitude of France and other nations toward disarmament, while the enemies of the World Court were whetting their weapons, and while, consequently, the question of further American participation in international political organization was being weighed and influenced, something else quietly happened which to us is significant of a situation that means more than all these things. The Belgian franc, which for months had held close to 4.5 cents in the foreign exchange market, slipped rapidly and fell to the neighborhood of 4 cents within a week.

Having made a settlement of her war debt with the United States, Belgium was negotiating a loan in New York and London for the purpose of creating a gold reserve and restoring the convertibility of her currency. The original figure considered was said to be $150,000,000. Certain financial reforms, leading to a permanently balanced budget, were demanded by the prospective lenders. These reforms were voted. Everything seemed to be going well, and pending the final agreement on the loan the Belgian government was "pegging" the exchange—that is, it was buying enough francs to keep the price up, whenever a sagging tendency appeared. Of course this took funds, but it seemed a safe thing to do in view of the approaching relief.

Then something happened. Just what, we do not know in detail, but a special dispatch to the New York Times said: "According to Paris information, the bankers reduced it [the principal of the loan] to $100,000,000 and advanced the maturity date, with further conditions affecting the consolidation of the most of the Belgian floating debt and [italics ours] *the industrialization of the railroads along more efficient lines.*" These conditions apparently were unacceptable to the Belgian government. Its hesitation created doubts about the exchange value of the franc. Speculators began to sell francs. And, wrote the Paris Temps, "perhaps English and American banks intervened in the market in order to exercise pressure on the Belgian government and Parliament." Perhaps they did, indeed. Such things are not unheard of. At any rate the peg slipped and the franc fell.

It must be remembered that in Belgium the Socialist and labor movements are strong, and control the government. Just what the bankers' conditions regarding the railroads are we do not know, but if they are the conditions imposed by Allied authorities in Germany or elsewhere, they may involve basic changes in policy such as turning them

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

over to private operation, or increasing rates, or dismissing personnel, or reducing wages, or bonding them as securities. Such conditions might easily have been distasteful, not merely to a Socialist government, but to any government. At any rate such conditions fundamentally affect Belgian affairs, and to quote the Temps again, "They are naturally hard to swallow, because imposed by foreigners."

We do not mean to imply that American bankers gratuitously are endeavoring to fasten bondage on Belgian workers. They are not responsible for the straits of Belgian finance, and their aid is being sought, not pushed. Furthermore they may have excellent financial reasons for their conditions. It is good banking to demand plenty of security, and they may have been influenced to stiffen their demands by the fact that the Italian loan has not gone well with the public. We may even suppose that if American bankers had not the slightest prejudice against labor governments or publicly operated railroads the conditions would have been the same. Nevertheless the fact remains that if Belgium is to get back to a convertible currency on a gold standard, and is permanently to stabilize her exchange, she must secure the gold in the United States; there is nowhere else for her to turn. And the fact remains that incidents of this kind inevitably lead to comments like the following from the Temps: "The attitude of foreign bankers toward Belgium seems to prove that Anglo-Saxon finance has an annoying tendency of wishing to impose on all countries—even its allies—which ask its help in financial restoration, conditions and controls analogous to those which the defeated nations, particularly Germany, were obliged to accept." The incident has occasioned bitter comment in the Belgian press and parliament, and has threatened a cabinet crisis.

Before the financial stabilization of Europe is complete, all important nations except Great Britain will be in debt, with conditions and controls, to the Anglo-American banking group. Germany and the other central powers are so. Poland is so. Italy is so. Belgium will soon be so. It is rumored on good authority that the attempted settlement of the French war debt to this country failed at the last moment because Caillaux would not promise New York bankers sufficient control over the French railroads and treasury in exchange for the private loan which was to follow the settlement.

In addition we must not forget the large American private loans and investments which have gone into German industry and local governments by hundreds of millions of dollars, which are going into Italy, and which will go into other European nations after their war debts are finally settled and their stabilizing loans arranged. If these new investments lead to sufficiently increased productivity, it may be possible for the countries concerned to send back to us enough goods and services to pay the interest or dividends, and to do so without lowering the standards of living of their inhabitants. But there is considerable doubt whether this will be the case. A large part of the investments in Germany, for instance, have gone toward the replenishment of stocks of goods and working capital. Thus they have increased Germany's potential production over what it would have been without them, but they have not much increased it in comparison with the pre-war status.

If these loans and investments turn out to be good, and can be paid without hardship, all may be well. But if, on the contrary, they cannot be paid, or can be paid only by shipping out of Europe such large quantities of necessary goods that the working masses must suffer and there is little surplus for social purposes, trouble is certain. American investors may find themselves obliged to foreclose mortgages and assume more direct control over European business. But, more important even than that, the American bankers will have made the European governments and ruling classes their collection agencies for heavy and perhaps unbearable levies on the people. Revolt against this hardship, fanned by the ever-present revolutionary agitation, would enjoy the unusual advantage of having on its side patriotism and hatred of the foreigner.

Certain prominent persons in the United States are said to cherish the ideal of a "pax Americana"—a peace enforced through the hold of Anglo-American capital on European governments and industry. We confess that such an idea appalls us. Imperial obligations of this sort are too dangerous to the ruler and not always salutary to the ruled. Of course Europe needs our money. But we believe that it would be well either to lend it with the utmost forbearance as to conditions and controls, or where such forbearance cannot be exercised not to lend it in Europe at all. Here is a real danger for the isolationists to consider. For we can stay away from every League meeting, run trembling into the closet when the World Court is mentioned, and still be in Europe up to our necks through the natural operations of finance. The United States is at this moment more involved in the springs of European internal affairs than she was when an army of doughboys was fighting on the western front.

THE NEW REPUBLIC

PUBLISHED WEEKLY AND COPYRIGHT, 1926, IN THE U. S., BY THE NEW REPUBLIC, INC., 421 WEST 21ST STREET, NEW YORK
HERBERT CROLY, PRESIDENT, DANIEL MEBANE, TREASURER

EDITORS

HERBERT CROLY BRUCE BLIVEN ROBERT LITTELL
ALVIN JOHNSON GEORGE SOULE STARK YOUNG
ROBERT MORSS LOVETT

CONTRIBUTING EDITORS

JANE ADDAMS JOHN DEWEY EDMUND WILSON
GILBERT SELDES E. C. LINDEMAN LEO WOLMAN
WALDO FRANK

RATES: SINGLE COPIES, FIFTEEN CENTS; YEARLY SUBSCRIPTION, FIVE DOLLARS; CANADIAN, FIVE DOLLARS AND FIFTY CENTS; FOREIGN, SIX DOLLARS; THREE MONTHS' TRIAL, ONE DOLLAR

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Railroad Consolidation

Where We Stand after the Van Sweringen Decision

I

THERE is nothing new about railroad unification. When railroads were first built the trackage owned by separate companies was short, the capital small in comparison with systems as we find them today. Gradually, as in most other basic industries, larger operating units grew up. They resulted from cut-throat competition, buying-in of defeated rivals, stock purchases, leases, mergers, holding companies, traffic agreements. The motives for these deals were various. Sometimes they arose from a genuine desire to offer better and cheaper service to the public. More often, however, such motives if they existed were subordinated to shrewd plans for making fortunes out of financial manipulation, or desire to pile up monopoly gains from railroad operation, or ambition to strengthen one property at the expense of its competitors.

If you look back into the history of railroad consolidation you will find the associations both salutary and sinister of names like Drew, Vanderbilt, Hill, Gould, Harriman. You will find the Northern Securities case. You will find voluminous argument pro and contra combination. No doubt the old order of small and disparate railroads was doomed to give way before the new; no doubt the new brought many advantages. But it also brought abuses which led to public regulation, to a popular fear of mergers, and to legal restraints on them. It left an illogical array of strong and weak roads, of big systems and little ones, and a confused rate structure. It is well to remember these things when discussing consolidation now.

II

The decontrol of railroads after the War and the discussion leading up to the Transportation act of 1920 brought a new kind of interest in unification. There had been a good deal of sentiment in favor of continuing federal operation, some sentiment in favor of government ownership. It was not difficult to rout this sentiment for the time being by displaying the usual bogey-man and pointing to the huge deficit arising during the period of federal control (for which, of course, federal control was not responsible, but other things such as shifting price and wage levels, and war requirements). But the men who really knew railroads knew that when the carriers were taken over by the government they were on the verge of collapse, and felt that their weaknesses would again under private operation lead to trouble which might in the end force government ownership unless something drastic were done to strengthen them financially and enable them to render better service without exorbitant or uneconomic rate increases. Thus arose the plan of the Transportation act, an important feature of which was consolidation of all railroads into some fifteen or twenty great systems.

Consolidation was expected to produce results of public advantage. It was expected, through creation of larger units for the use of cars, locomotives, shops, yards, terminals, administrative forces and routes, to bring about economies of operation. It was hoped, by joining roads whose return on their investment was inadequate with roads which made more than enough, to improve the credit position of the weaker roads without advances in rates, and even to reduce rates. It was expected, by creating systems substantially equal in nature of traffic, territory served and rate of return, to simplify the problem of regulation and facilitate the development of a logical rate structure. This result was to be achieved without substantially altering existing traffic routes and without abandoning competition among systems serving important cities and regions.

In pursuance of these ends the Interstate Commerce Commission was directed to prepare a tentative general plan for consolidation, to hold hearings on it, to adopt a final—but modifiable—plan, and then to grant permission to roads wishing to consolidate, using this plan as a guide. After an exhaustive study by Prof. William Z. Ripley a tentative plan was adopted. Hearings held on it developed so many conflicting objections that no final plan has been drawn. The Commission is now seeking the permission of Congress to abandon the project, and merely to pass on proposed consolidations as they arise, with possible stipulated modifications. Of course the same general principles as before, the same set of aims, would be supposed to rule. Though the hearings did not lead to the expected result, they were of great value in developing large quantities of data and many points of view which will help in future consideration of the matter.

III

Here the subject stood when the Van Sweringen consolidation came before the Commission. The stage had been so set that the public might have expected the railroad protagonists to appear upon it armed with exhaustive studies showing how their proposal would achieve the purpose of the Transportation act. One would have expected the Van Sweringens to have spent months in their study with railroad experts choosing just the roads that should be merged, before they began operations.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

How different was the picture revealed! Two real estate men had bought suburban property in Cleveland. To develop it they needed a trolley to the centre of town and a terminus there. Seeking for a right of way for their trolley line they came upon the tracks of the old Nickel Plate, owned by the New York Central, which had bought it to suppress competition and under the law had to get rid of it. A deal was made whereby the Van Sweringens bought the road with a minimum of cash and a maximum of borrowed money, which they repaid by floating a company under their control. So it went on, through the development of their mid-city property into a union railroad terminal, the purchase of the Clover Leaf from its receiver at a low price and its resale to the Nickel Plate at a handsome profit, the acquisition of the Erie and of the Pere Marquette, and finally the purchase of a controlling interest in the Chesapeake and Ohio and the Hocking Valley, with a view of selling them out at less than their value to the other and financially weaker roads in which the Van Sweringens had a larger interest. Every step was a shrewd trade in which the promoters made money after the fashion of realtors. It was charged at the hearings that some of these steps were achieved by illegitimate methods. In the process the promoters are said to have picked up something like $80,000,000. They were not primarily interested in consolidating railroads. They were interested in buying and selling, manipulating and financing any properties which they found lying around loose.

To complete the deal, it became necessary to get the permission of the Interstate Commerce Commission. Then, and only then, were the experts brought in with their study of economies, routes, better service. If you examine the briefs in the case you will find less than half of their pages concern the public advantages of the consolidation. You will find that these pages seem superficial and fragmentary. The majority of the Commission itself in its decision devotes almost as much space to this aspect of the matter as the brief of the applicants.

Although four of the Commissioners decided that the merger, from the transportation aspect, would be in the public interest, there was by no means a unanimous opinion on the subject. Chairman Eastman wrote that he did not believe the case was proved. The minority stockholders of the Chesapeake and Ohio punctured it in detail. President Loree of the Delaware and Hudson, who has a consolidation scheme of his own, bitterly opposes the Van Sweringen plan.

The general layout of the proposed merger is as follows. The new Nickel Plate is principally a trunk line from Buffalo to Chicago, St. Louis and other midwestern points. The Erie is chiefly a trunk line from New York to Chicago. Joined together they make a through trunk line, paralleling each other in parts. The Pere Marquette is a feeder road fanning out over Michigan. The Chesapeake and Ohio, with its subsidiary the Hocking Valley, is principally a soft coal road based on West Virginia and Kentucky, extending to Hampton Roads in the east and Cincinnati and Chicago in the west. The Erie and the Nickel Plate have a comparatively weak financial structure and earning power. The Pere Marquette has been moderately well off. The Chesapeake and Ohio and Hocking Valley have been very prosperous. Diversion of their profits to the capital of the rest of the system would have given it greater value. The whole is supposed to form a fourth trunk line system, competing on fairly even terms with the other three great trunks, to be somewhat enlarged in the consolidation projects—the Pennsylvania, the New York Central and the Baltimore and Ohio.

The projected system cuts square across the two principal comprehensive consolidation plans that have been prepared. The Oldham plan, drawn up by a Boston banker, placed the Nickel Plate, Erie and Pere Marquette with the Wabash on the west and the Lackawanna, the Lehigh Valley, and the Delaware and Hudson on the east. It allotted the Chesapeake and Ohio to the Baltimore and Ohio and other roads to make an enlarged B. and O. system. The tentative plan of the Commission placed the Erie with the Lackawanna, the Delaware and Hudson, the Wabash east of the Mississippi and smaller roads. It placed the Nickel Plate with the Lehigh Valley and smaller roads. It grouped the Pere Marquette with other Michigan roads to be tapped by all trunk line systems crossing the territory. It put the Chesapeake and Ohio with the Virginian as a specialized soft coal system.

The Commission approved the Van Sweringen proposal on the ground that it would have greater strength than the new systems of the tentative plan in competing with the Pennsylvania, Baltimore and Ohio and New York Central. But it did not state how this decision would bias the future layout for eastern trunk line consolidation. Nor did it answer Professor Ripley's judgment that coal-carrying is such a specialized job that the soft coal roads had better be left undisturbed as sources of supply for all connecting systems.

The operating economies claimed for the new system by the Van Sweringens amounted to $6,000,000 annually—which is not more than 2 percent on its present operating revenue. That is the measure of the total possible reduction of rates. If not applied to reduction of rates it would raise the return on book investment from a little over 4.8 percent to a little under 5.4 percent. The opposition argued that some of these economies were not feasible and some would be made at the expense of competing systems.

Approval of the proposal as an improvement in transportation could therefore rest for the most part only on a general faith in larger systems, regardless of the motives which led to the merger.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

IV

Is this faith fully justified? Chairman Eastman and other competent critics believe not. Let us summarize briefly some of their comments.

Operating economies.

The greatest chance for operating economy is in joint use of terminals by all roads entering a city or port. Consolidation plans usually contemplate the continuance of terminal competition among the enlarged systems. Terminal unification, as the Port of New York Authority has pointed out in its own case, cannot be obtained by competitive consolidation. It can be obtained without it, and has been in several cities. Pooling of facilities such as cars can likewise be achieved by coöperation rather than consolidation. And after a certain size is passed, the administrative and executive job may be so large as to conduce to less efficiency rather than more.

Strengthening weak roads.

The plea of the consolidationists is that many weak roads making less than a "fair return," cannot give adequate service and if not strengthened by consolidation may go into bankruptcy and be forced to discontinue operation unless the government takes them over. Though the situation has recently been improving, 70 railroad companies operating 56,464 miles of road averaged less than 3 percent net operating income on their book value in the three years, 1922, 1923 and 1924, and 30 others with 60,934 miles averaged less than 4 percent. The answer is (a) that many of these roads have non-operating incomes which help them out, (b) that the situation is improving somewhat anyway through a gradual increase in efficiency, (c) that not more than one or two of these roads, if forced into bankruptcy, would actually discontinue service, but would instead reduce their capital burden so that a fair return on it would be possible—a result which would benefit the public and would be necessary anyway as part of any deal for voluntary consolidation with a stronger road. On the other hand mere consolidation would not be likely to help such roads much. Weak roads may be weak through capital inflation, which can be cured as above, or poor territory, which cannot be cured, or inadequate rate divisions, which can be adjusted without consolidation, or poor management, which may be cured with or without consolidation.

Reduced rates.

It is argued that when existing rates give strong roads too much profit in order to keep weak roads alive, consolidation of the strong with the weak would pool the profits and so enable rate reduction. This would be true if rates at present were set to give a "fair return" on the value of the weakest roads. But that is not the case. Rates are set to give a "fair return" on the aggregate value of all roads within the region in question. Consolidation would not change the aggregate value.

Systems of approximately same size and earning power.

By consolidation such systems might be created. But how long would they remain so? The country is still growing, territories and industries rise and fall; management changes. Roads which used to be strong are now weak. Roads like the Seaboard Airline and the Southern have greatly improved their position. The Baltimore and Ohio has gained on the Pennsylvania. We cannot postulate a static condition as a basis for consolidation.

Those who argue this way do not deny that consolidation may produce some benefits, particularly in service. They maintain only that its virtue as a solvent of railroad problems has been exaggerated.

V

Nevertheless projects for unification are going forward all the time. Applications of railroads to acquire control of others not merely through formal consolidation but through operating contracts, leases, purchase of stock, etc.—which is very much the same thing—have totalled over 26,000 miles since the passage of the Transportation act. Many of these which have been granted interfere in detail with the comprehensive consolidation plans. More ambitious projects are in the wind. Not all of them are sponsored by traders like the Van Sweringens, but almost all seem more like the old scramble to build systems for profit or exclusive advantage than like an attempt to carry out the purposes of Congress. The energetic Mr. L. F. Loree wants to consolidate several of the anthracite carriers, build a new line across Pennsylvania, and link up the Kansas City Southern and other properties in the Southwest. He is opposed by the other eastern trunk lines. These lines in turn are not in accord about the disposal of entries to New York City such as the Jersey Central, and the short routes across Pennsylvania. Final decisions in these matters are likely to be made by the big bankers. The three Hill properties in the Northwest want to be consolidated together in order to keep their dominant position; scientific consolidationists and other Northwestern interests want them separated. The Illinois Central has bought an outlet to the South Atlantic. Though it was planned to join the Rock Island with the Southern Pacific, the Frisco slipped into the market and bought a controlling interest in the Rock Island. Etc., etc. It looks as if, by giving way to an indiscriminate sentiment in favor of consolidation which is just about as ill founded as the previous sweeping sentiment against combination, we had succeeded merely in lifting the flood gates for a continuation of the old, familiar process.

What will be the outcome? Some public advantage, no doubt. But knotty railroad problems will probably remain. Logical consolidation may be de-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

layed, or not achieved. And certain close observers believe that when the public finally comes to understand the enormous power which will be wielded by the minority interests of various kinds who are almost certain to control the enlarged systems, the sentiment for government ownership is likely to return, stronger than ever.

GEORGE SOULE.

The Ohio Gang Again

TWO years ago, I wrote and the New Republic printed a series of articles about the "Ohio Gang." In that series I told how through a generation an organization of professional politicians was built up in Ohio which, except for short intervals, controlled the chief cities and the state itself. I told how Harry M. Daugherty came to be an important member of this organization, how he saw in Warren G. Harding, an obscure newspaper editor in Marion, a man who would be a useful office holder for the organization, how the machine sent Harding to the Senate and how, in 1920, when the Republican nomination for President meant certain election, that nomination was secured for him.

I told how, when Harding went to the White House, the Ohio Gang went with him; and how he gave the post of Attorney-General to his political godfather against the wishes of the leading Republicans of the country. I sketched the story of the nest of crooks and grafters which thereupon settled down in Washington and began selling its "influence" to people who wanted something from the government, charging in some cases hundreds of thousands of dollars, and accumulating an aggregate total which undoubtedly ran into millions. I showed how these men were intimate friends, boon companions of Harry Daugherty, and some of them of President Harding—though it has never been proven that either of these gentlemen was implicated in, or even knew, what was going on.

I told the story of Jesse Smith, one-time keeper of a little dry goods store in Washington Court House, O., the man who lived with the Attorney-General, and had an "unofficial" desk in the Department of Justice—Jesse Smith, who at last saw that what he was doing could not long be kept a secret, and, terrified by what was in store for him, shot himself through the head. I told of "the little green house on K street," where Howard Manington presided—Manington, who had been a political hanger-on in Ohio for decades past. To that house came whiskey by the suitcaseful. To it also, secretly, by night and with all the air of old-fashioned melodrama, came the men of the underworld, their hats pulled low, their pockets bulging with big rolls of thousand-dollar bills which they left when they came away. They thought they were buying with those thousand-dollar bills immunity from prosecution by the Department of Justice; and whether they were or not, nobody knows and perhaps nobody ever will know. To be sure, they didn't get that immunity; but there are several possible reasons why that might have happened. The one man who could cast most light on the whole situation is Harry M. Daugherty; and Daugherty, while he has issued statement after statement about his own utter innocence—innocence which by his own assertion was so complete that it hardly flatters his intelligence—has thus far been unwilling to take the stand. He has refused to testify, and his brother Mally has fought the demand of the Senate Committee that he appear, all the way to the U. S. Supreme Court. That august body is still making up its mind whether or not the Senate has the right to compel that testimony.

The whole story of the Ohio Gang, of course, is far from having been told. We know a little of what happened in the Veterans' Bureau, where Col. Charles R. Forbes—a member of the gang by adoption—squandered half a billion dollars in two years' time—a record for lavishness which has probably never been exceeded. We know the story of the naval oil leases engineered by Senator Fall, an associate member of the gang from New Mexico. Some of the enterprises of Jesse Smith have been aired. But just as is the case with the scandals in the war-time aviation program, with the tale of the building and operation of the government ships, with the graft in the disposition of surplus war materials, no one has ever got to the bottom of what happened. We Americans are a busy, cheerful people, with short memories and a general disposition to feel that what's done is done and there's an end of it. Also, as a people, we have a pronounced distaste for looking into any question arising from our war experience. It is not unfair to conjecture that perhaps we fear to find out how easily deceived, how wrong and how naïve we were.

Yet from time to time something turns up which is worth reading into the record both for its intrinsic interest and for the good it may do our souls to see what happens in an era of spiritual exhaustion, of national shell-shock and reaction from fictitious idealism into sordid materialism. One such story has been unearthed lately and deserves telling if only as a footnote to the story of the Ohio Gang. It is the tale of American Metal.

The American Metal Company was and is an important corporation doing a general business in the purchase, refining and sale of metals. When

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

we entered the War, it was owned internationally. Forty-nine percent of the stock belonged to Germans; the other half was about equally divided between Americans and a group ostensibly British, but closely allied with the Teutonic faction. As was the case with other enemy-owned property, the 49 percent of German stock was taken over by the Alien Property Custodian shortly after we entered the War. Some time later, the Alien Property Custodian sold it. He received $6,000,000 which he put into the bank. In the course of time, this grew with accumulated interest to about $7,000,000.

We come now to the year 1921. Another administration—the Harding administration—is under way. Another Alien Property Custodian is on deck—Thomas W. Miller, of Wilmington, Del. Along comes a Swiss concern—the Societé Suisse pour Valeurs de Meteaux—and alleges that it, and no other, is the rightful owner of that 49 percent of stock, which it obtained, before we entered the War, from the former German holders; and that it is therefore entitled to get back the stock or its value.

If the claimants had been the original owners, they would not have been entitled to have their property returned to them under existing American law in 1921. That property was being held pending the outcome of the whole matter of claims by German citizens against the United States government and claims by American citizens against the German government. It was the duty of Alien Property Custodian Miller, therefore, to see whether this Swiss company which said it owned the property was really a Swiss company, as it said, and entitled to reimbursement with Uncle Sam's apologies, or just a camouflage for the original German owners. The Alien Property Custodian's office decided that the Societé Suisse pour Valeurs de Meteaux was just as Swiss as could be. It said so to the Department of Justice which thereupon, as was customary, made a favorable decision and released the $7,000,000 to the claimant.

This decision seems, to put it tactfully, a little odd. The claim made on behalf of the Swiss company was that it had taken over the German interest in the American Metal Company shortly before we entered the War. Yet the American president of the company did not know of this transfer. A long time after April, 1917, he voluntarily reported the 49 percent interest as being German-owned. In fact, none of the actions of the American group during the next four years showed any knowledge of any Swiss ownership. Moreover, during the period of America's participation in the War, and long after the Swiss company is alleged to have bought the German interest, two Americans, Henry Bruère and Julian Beaty, with the consent of the War Trade Board, traveled to Switzerland and discussed there the possibility of purchasing from the German owners that 49 percent stock interest; and these German owners were so completely ignorant of the fact that they had transferred all their rights to the Swiss company, that they actually signed an option for sale to the Americans. This transaction subsequently fell through, not because the Germans remembered that they had nothing to sell, but only because the American government objected to the terms.

Again, it might have seemed odd to the Alien Property Custodian that the man who appeared in 1921 to press the claim of the Swiss company was one Richard Merton. Richard Merton, as Mr. Miller's own files clearly showed, was of German nationality (though British by birth) and was one of the original German owners of the 49 percent. However, the Alien Property Custodian (not personally, but through his assistants) never even asked Richard Merton his nationality. The files which contained full information about the German ownership, including the record of the Bruère-Beaty transaction, and which knocked the story of Swiss ownership into a cocked hat, were never consulted. The fact that the Swiss company was actually Swiss was taken for granted, although a majority of its fifteen directors were Germans, as were at least a substantial minority of the holders of its debentures. The Alien Property Custodian's office made no effort to consult its own files in regard to the American Metal Company case, although the seven million dollars involved made this one of the biggest single matters handled by the office.

According to the stories of the men responsible, Richard Merton's papers, and his papers only, were looked at. When he first appeared, he was told that these papers were "insufficient"; whereupon he departed, taking them all with him. A few weeks later, he returned and made a new presentation. This time it was decided that he had documents enough, though subsequently the man who handled the case was unable to identify a single paper as belonging in the first or in the second group, or to say what additional evidence, if any, was presented. At any rate, the Alien Property Custodian's representative, satisfied, now went with this Anglo-German gentleman to the Department of Justice, which has final authority to return property.

The necessary introduction was made to the special assistant to the Attorney-General in charge of Alien Property work. Things were talked over. Shortly afterward, a letter bearing the signature of Alien Property Custodian Thomas W. Miller (prepared for him by an assistant) went to the Attorney-General, recommending that the $7,000,000 which the sale of the 49 percent of stock had brought, should be given to Mr. Merton. Promptly followed a letter from the Department of Justice to the Alien Property Custodian allowing the claim. This letter was signed by Guy D. Goff, Assistant to the Attorney-General, "for the Attorney-General." Colonel Goff, now Senator Goff of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

West Virginia, was Daugherty's right-hand man, and one of the smoothest gentlemen who ever refused, in such silky tones that you felt he was doing you a favor, to give information to a newspaper man—as this writer has good and painful reason to know. Mr. Merton thereupon collared the swag and departed for his home in Frankfort-on-Main.

Up to now, this transaction might be described as no more than an example of singular incompetence on the part of Alien Property Custodian Thomas W. Miller and his associates. Mr. Miller, put on the witness stand by the Senate investigating committee, protested that he knew nothing of it, that he had 25,000 cases to attend to, that he couldn't find things in his own files, that unauthorized people walked off with important documents. The general impression one gets from his testimony is reminiscent of that famous appearance by Mayor Hylan of New York City before the Meyer investigating committee, at which time the Mayor seemed to be sure of only one fact—that he wished he were somewhere else. I have no reason to believe—no reason which I could defend in court—that there is anything more to the story than this.

But there is still a little history to record. More than a year ago, an investigation of the American Metal case was begun by the Department of Justice. A special assistant to the Attorney-General looked into it, for many months; and since his resignation, the work has been carried forward by Emory R. Buckner, United States Attorney for the Southern District of New York. A Federal Grand Jury has indicted "Thomas W. Miller et al" in a case which is still pending at the time of writing.

The basis of the indictment is bribery. The Grand Jury alleges that Richard Merton paid $441,000 in the form of bribes in order to get his cock-and-bull story of Swiss ownership accepted, and obtain possession of the $7,000,000 received in the sale of the German-owned stock. The chronology of events, as charged by the Grand Jury, is as follows:

May 1, 1921: John T. King, former member of the Republican National Committee from Connecticut, introduces Richard Merton to Jesse Smith.

July 27, 1921: Merton pays King $50,000.

Aug. 1, 1921: King gives Jesse Smith half of this, or $25,000.

Sept. 20, 1921: Merton is taken to the Department of Justice by George E. Williams, managing director of the Alien Property Custodian's office, and there introduced to A. R. Johnson, Jr., special assistant to the Attorney-General in charge of Alien Property.

Sept. 21, 1921: Alien Property Custodian Miller signs the letter to the Attorney-General recommending favorable action on Merton's claim—the letter which, as we know, was immediately followed by release of the $7,000,000.

Oct. 1, 1921: Merton hands over to King, Smith and Miller $391,000 more, in Liberty bonds.

As I have noted, I have no means of knowing whether the charges of the Grand Jury are correct; but there is something else in the official record which deserves to be mentioned here. Jesse Smith had an account, up to the time of his death, in the Midland National Bank, of Washington Court House, O., the town where his own general store was situated. The head of the Midland National Bank is Mally Daugherty, brother of the ex-Attorney-General, who has also had his personal account there. The Senate Committee investigating Mr. Daugherty tried to subpœna the books of the bank and compel the presence of Mally Daugherty as a witness before itself; and Mally Daugherty has fought this effort, as I have said, through to the Supreme Court of the United States, which has now had the case under consideration for more than a year. Obviously, the bank records covering the account of Mr. Jesse Smith would throw considerable light on whether or not he received, as the Grand Jury charges he did, a considerable part of a bribe of $441,000. These records would also show some facts in regard to additional bribes he is alleged to have received from bootleggers and others, running into many hundreds of thousands of dollars.

Unfortunately, when an investigator from District Attorney Buckner's office went to Washington Court House to look at the bank records, he found them all missing; and it was subsequently discovered that the reason for this was that Mr. Harry Daugherty had burned them all up! About one year ago he had all these sheets removed from the bank ledgers, transported out to a country place which his brother and himself and Jesse Smith had at one time owned jointly, and at some time between then and last December, he had burned them. Burned the sheets covering his own account and all the others in any way involved. Burned them, clear back to 1916; burned all of them, down to the current ledger sheets, which was as close as he could get to the present moment without crippling the bank's actual operations. This burning took place, it should be noted, while the question of the right to subpœna the bank records, and compel testimony, was still being thrashed out in the courts.

Mr. Harry Daugherty, thereupon, was summoned to testify before the Federal Grand Jury investigating the alleged bribery in the American Metal Company case. What happened when he appeared is interesting. Testimony before a Federal Grand Jury is confidential, but this material was made public when Mr. Daugherty was brought before Federal Judge Thomas D. Thacher in the effort (a successful effort) to compel him to answer questions asked him by the Grand Jury. He was asked to "produce the original ledger sheets as required in the subpœna." This is his reply,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

written out by himself with great care in the presence of the jury. (The punctuation and italics are by me; I have long objected to Mr. Daugherty's English style, and seize every opportunity to edit him.)

> Having been personal attorney for Warren G. Harding before he was Senator from Ohio and while he was Senator, and thereafter until his death,
>
> —And for Mrs. Harding for a period of several years, and before her husband was elected President and after his death,
>
> —And having been attorney for the Midland National Bank of Washington Court House, O., and for my brother, M. S. Daugherty,
>
> —And having been Attorney-General of the United States during the time that President Harding served as President,
>
> —And also for a time after President Harding's death under President Coolidge,
>
> —And with all of those named as attorney, personal friend and Attorney-General, my relations were of the most confidential character as well as professional,
>
> —I refuse to testify and answer questions put to me, because:
>
> *The answer I might give or make and the testimony I might give might tend to incriminate me.*

There are several things which might be said about this statement, but I refrain. Perfection needs no lily-gilding by me.

So there, for the present, the matter rests. The investigation is still going forward, under the competent Mr. Buckner; the case has yet to be tried. What will be the outcome, it is impossible to say; the journalist has no right to turn prophet. Jesse Smith is dead by his own hand; Harry Daugherty has burned the bank records which might have told something of the story of what really happened. He refused to testify before the Senate Committee; his brother refused to testify and instituted court proceedings which may or may not, according to the Supreme Court decision now pending, take away from all future Senate investigating committees the power to compel testimony.

The other members of the Ohio Gang are scattered in various places. Colonel Charles R. Forbes has just lost his final appeal and is preparing to go to jail for two years and pay a $10,000 fine; the oil lease cases drag along and seem to get nowhere. At the moment of writing, not a member of the gang has yet spent a day in jail because of his crimes. The Coolidge administration has done some house-cleaning; it had to. But to this day, the leaders of the Republican party have never put themselves on record in that repudiation of the dirty work under the Harding régime which would alone indicate that a badly-needed change in attitude had taken place. On the contrary, they united in a hush-it-up campaign in which many great newspapers (not all) aided them. And they connived at the persecution, for it was nothing less, of Senator Wheeler of Montana, which was begun after Mr. Coolidge became President and was carried on until the farce became too absurd to be endured any longer.

As for the people of the United States, it is fair to say that if the doings of the Ohio Gang are ever thoroughly sifted, by Mr. Buckner or anyone else, it will not be with the aid of overwhelming public sympathy and support, but in the face of overwhelming apathy. So far as generalizations are ever true, one may observe that the people seem to be interested chiefly in such matters as how to keep taxes at their new low level; how to get safe whiskey from a bootlegger; where to park their cars; how to bring in KGO, Oakland, on the loud speaker. As for the scandals of the Harding régime, the answer is: "What scandals?"

BRUCE BLIVEN.

A Siamese Precedent for China

THE doctrine of extra-territoriality is one of the inventions of the past which finds its function seriously perverted in modern times. Originally it was a plan by which a people seeking to avoid the influence of other nations might admit a certain amount of necessary intercourse while escaping the extra burden of administration caused by the presence of foreigners. The possession by the penetrating nation of trading posts, and of legal jurisdiction over its traders when they were beyond these limits, were complementary. With the expansion of trade into modern business, and the addition of travelers drawn by other motives, including the missionary, the trading post has grown into the metropolitan foreign settlement as at Shanghai; and the jurisdiction of nations over their subjects has developed into a gigantic system of legal procedure, spreading over an entire country and conferring upon foreigners and their dependents a privileged status. The system which was originally bilateral has become unilateral, and damnably unfair.

China is today the nation which is suffering most from the union of extra-territoriality and foreign concessions, and her protests have led to the calling of the present conference of interested powers at Peking to consider the modification of the system. Undoubtedly such modification, and even more the total abolition which the Chinese demand, will cause grave complications in the business of the western world with China. A practice which has become a matter of outstanding injustice is now so deeply rooted that the method of its removal is a challenge to statesmanship. In these circumstances it is interesting to look at a country which presents in a smaller and simplified form the problem of China.

Siam was drawn into the circle of world trade later than China, but by the same process. In 1856

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

treaties of extra-territoriality were signed with Great Britain, the United States and France, and later with other nations. At the same time the limit of customs duties was fixed at 3 percent. In 1868 it was the good fortune of Siam to seat upon its throne one of the greatest statesmen who ever has dealt with the problem of the meeting of the East and the West. This king, Chulalongkorn, realized that if Siam were to remain free to maintain her inner world of eastern thought she must adopt the external procedure and material civilization of the western nations. He initiated a system of judicial procedure on the lines of the Roman Law, organizing courts with foreign advisers, chiefly French. He abolished slavery by decreeing the freedom at the age of twenty-one of all children of slave parents. He undertook the abolition of the opium traffic by making the service of the drug a government monopoly, by registering the smokers and apportioning the allowance of each. He introduced compulsory education. Both he and his successor, Rama VI, found the operation of their reforms greatly interfered with by the restrictions which had been imposed upon the sovereignty of Siam by the western powers. The tariff restriction threw the burden of the exchequer largely upon the opium monopoly. The practice of extra-territoriality was not confined to the nationals of the European nations, but was extended to their Asiatic dependents, Burmese, Annamese, Javanese. This tended to weaken and confuse the administration of justice. In particular, compulsory education was resisted by these immigrants to whom the Siamese laws could not be applied until they had been accepted by the various foreign governments. Siam found herself embarrassed in working out her plans for the administration of the country on western lines by the rights granted to western powers, precisely as China is embarrassed today.

The first step in recovering these grants was a treaty in 1907 with France whereby the Asiatic colonists of that power were transferred to Siamese jurisdiction; but this concession had to be purchased by turning over certain provinces to France. In 1909 a treaty with Great Britain provided that subjects of the latter should be placed under the jurisdiction of the Siamese courts, with two restrictions. British "advisers" were to sit in cases in which British subjects were concerned; and British consuls could "evoke" such cases from Siamese courts into their own when they disapproved of the decisions rendered. As payment for these concessions British subjects were to be given the full status of Siamese as landholders, and the bargain was sealed by the usual cession of provinces.

The turning point for Siam, as for China, in her relations with the western powers, came with the War. Siam joined the Allies, and thereby gained a voice at Paris. It was heard by President Wilson, who in 1920 made good his promise to the smaller nations by drafting a treaty with Siam according to which that country was to have full jurisdiction over American subjects with the single reservation of the right of "evocation" for five years after the treaty was put into force. At the same time the United States agreed to the principle of tariff autonomy, and promised to grant it without compensation, when other nations could be induced to do so. The leadership of the United States in this matter is of good augury in the negotiations now proceeding with China.

It was in fulfilment of the pledges of President Wilson that his son-in-law, Mr. Francis B. Sayre, who became adviser on foreign affairs to the Siamese government in 1923, took up the adjustment of the claims of other nations as to extra-territoriality and restriction of customs. A treaty with France was drafted with the concurrence of the French minister at Bangkok, and a treaty with Japan was signed in 1924. In September of that year Mr. Sayre left Bangkok with the delicate task of persuading the dozen or more nations concerned to renounce without compensation the provisions with reference to extra-territoriality and the tariff which long continuance had converted into prescriptive rights. The forces of vested interests and the status quo, of selfishness and indifference, were against him; nevertheless he secured the signature of the treaty with France in February, 1925. In London he met with determined opposition from experts and permanent officials, but he converted Mr. Chamberlain to his view. The treaty had been drafted and Mr. Sayre was laboring in other fields, when an untoward incident occurred in the murder of a British official in Bangkok. At once the whole edifice of argument and persuasion was in ruins, and had to be reconstructed before the treaty with Great Britain was finally signed in July. Similarly in Portugal the drafted treaty was swept away by a revolution, and Mr. Sayre was recalled from Christiania to Lisbon to begin his work again. Some of the nations whose interests were of the slightest made the most determined demands for compensation. At length, however, the puzzle map was finally put together. The treaties between Siam and France, Japan and the United States were ratified; those with Great Britain, Holland, Spain, Portugal, Denmark and Sweden were signed; and those with Italy, Norway and Belgium agreed upon in draft. Mr. Sayre would seem to hold the world's record for the number of long distance treaties in the shortest elapsed time.

These instruments follow the form of the treaty with the United States of 1920. The Siamese courts enter into full jurisdiction over foreigners subject to the right of "evocation." This restriction may be regarded as merely formal, since Great Britain, who first introduced it in 1909, has made use of it only in three cases. Siam also secures full autonomy in the matter of customs duties after ten years from the date of ratification of the last treaty —restrictions upon textiles, iron and steel manufactures and machinery remaining in force during that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

period. In addition the treaty with France contains a sweeping provision for the arbitration by the Hague Court of all questions arising between that nation and Siam. Siam lies between the French possessions of Indo-China and the British province of Burma. In view of their successive encroachments her national existence was, up to a few years ago, a matter of serious doubt. The force of this arbitration agreement therefore can hardly be exaggerated. It is the charter of the independence of Siam.

But the value of the entire experience of a small nation in the midst of powerful and predatory interests is not to be minimized. Undoubtedly the strongest argument put forward by Mr. Sayre was the appeal to enlightened selfishness. He showed that the nations had more to gain than to lose by pursuing in good faith the policies announced as the great aims of the War. His success is evidence of the influence which may be exerted by an individual working steadily on a single line of achievement in harmony with principles which all nations have for once at least recognized and to which they have bound themselves. It would be an obvious mistake to place too much weight upon the example of Siam, to argue from it to that of China. Siam is a small country, already crystallized about an efficient central government. China is vast and amorphous. Yet the evils of extra-territoriality and foreign control of customs, of which China complains, were amply illustrated in Siam, with the same effects in weakening the authority of the government. Siam had no power to enforce its petition. China has a latent strength so immense that it is admitted that foreign elements must ultimately give way before it. If the difficulties of adjustment are greater in China, the necessity of meeting them is more imperative. On the whole, the story of Siam supplies an example of what is needed in China—a clear view of the goal, a method of working toward it, the personal direction of forces to that end, a spirit of justice, and an act of faith.

ROBERT MORSS LOVETT.

A Sonnet Sequence

Here Rhetoric in tatters beats its breast
And calls upon the bugles to intone
Pompous profundities that have been blown
By countless other trumpets, long at rest.
Here Eloquence is but an actor, dressed
In faded fustian on a tinsel throne,
Mouthing his climax, "Oh, thou . . . great . . . alone . . .
Vast . . . Immemorial . . . Beauty . . . Unexpressed."

And while the sound disturbs indifferent air,
Invoking Glamor in its grandiose moods,
The summoned spirit enters; blare on blare
Proclaims his ancient majesty, as broods
Of hoary metaphors reveal him there
In patches torn from purple platitudes.

LOUIS UNTERMEYER.

Washington Notes

WHEREVER I go these days in Washington I hear comment upon the extraordinary dullness of this session of Congress. Complaint is made that there is less life and color and sparkle about its proceedings than any other that can now be recalled—that not even the World Court battle was a real one and that now that that is over there is practically nothing to arouse more than a passing interest. Even the fight over the Italian debt seems spiritless and tame.

It certainly is a dull, flat session, but then I cannot see how nor why anyone should expect anything else. It is a flat, dull administration and the dullness in Congress is merely the natural reflection of dullness at the other end of Pennsylvania Avenue and elsewhere. Not in my time—and I go back to Grover Cleveland—has there been in the White House, and in the Departments, and in Congress and on the Commissions such an unrelieved and complete mediocrity. There are today in Washington practically no outstanding men in the federal government. Eliminate Hoover and there is not a high-grade, first-rate, six-cylinder mind in the Cabinet and I have not forgotten that Mr. Mellon is Secretary of the Treasury, either. Nor have I forgotten those shining intellectual giants who respectively fill the offices of Attorney-General, Secretary of the Navy and Secretary of the Interior.

As for the Senate the level is lower there than it has been in a generation. It is not only that Blease of South Carolina, Robinson of Indiana, Williams of Missouri and one or two other recent recruits have pulled the average down, but that there are left so few really big figures to pull it up—scarcely a man of full Senatorial size. Borah flivvered in his World Court fight and his voice in debate somehow no longer carries the weight it did. In some curious, intangible way his cutting edge has been dulled and the feeling among the most observant is that he has begun to slip. And the talk is becoming general along that line. Jim Reed grows more venomous every day and spends a considerable part of his time bullying the Vice-President, who is obviously afraid of him. On the Democratic side everybody concedes the Robinson leadership has been a 100 percent failure. The only member of the minority party who has functioned with intelligence, courage and consistency this session is Walsh of Montana. He, however, has twice failed to gain support from his colleagues at critical moments and is I am told in a state of considerable despondency over things in general and politics in particular. Certainly he looks it.

Actually the outstanding man in the Senate this session is George Norris of Nebraska. Without the fighting fire of La Follette, Senator Norris has still been the only individual to express himself clearly, concisely and sincerely on the floor this session. It was Norris who told the truth about the curious coalition between Democrats and Republicans that put over the tax bill with its 20 percent surtax rate and its retroactive inheritance tax clause. The fact that what he said about it was said with humor and good nature did not detract from its force. It was Norris, too, who presented the facts concerning Mr. Coolidge's

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

methods of requiring undated resignations from appointees on federal boards and who related the sorry history of the President's attempt to coerce Mr. Culbertson in the matter of the sugar schedules. Altogether Senator Norris has conducted himself with a dignity and courage and clear-headedness quite characteristic of the man and it is a great pity he has been ill much of the time. Otherwise his blows might have had greater force and been more effective.

But neither Norris nor Walsh nor Couzens nor anyone else has been able really to make a stir this time. Everything falls flat because the administration, secure in its unshakable and almost unanimous press support has adopted the exceedingly effective policy of ignoring all charges. Nothing could be simpler.

Senator Norris charges Mr. Coolidge with acts which in one holding a smaller office would be termed political blackmail. He presents evidence, dates and data. Mr. Coolidge makes no reply. Mr. Couzens accuses Mr. Mellon's Internal Revenue Bureau of grossly and wrongly favoring Mr. Mellon's corporations and presents proof. Mr. Mellon makes no reply. Senator King points out that the Coolidge economy is a fake and a fraud. He presents the figures and there is no reply. Nobody replies to anything in this administration. They do not have to. With taxes going down and prosperity keeping up all they have to do is to keep quiet and serious and solemnly dull. They can do this quite naturally and without an effort and it is under existing conditions the most complete protection against attack. The shafts of Mr. Coolidge's opponents are blunted and turned by the armor of passive dullness in which he is encased. It is not possible to make a target of, or develop into an issue, a man who refuses to defend himself against attack, who neither fights back nor fights at all, who makes no move on his own initiative, who does not talk save anonymously and behind the screen of the correspondents' conferences and who under no circumstances gets out in front, leads a battle or champions a cause.

No wonder things are dull with this sort of administration and this sort of Congress. What else can you expect? Take it all the way through—White House, Department heads, Senate and House leaders: they grade lower—intellectually, I mean, not morally—than any régime in thirty years. Yet such is the power of prosperity, propaganda and press support that they probably stand higher, at least in the estimation of business men and bankers.

I am surprised that more was not said in the newspapers about the last minute attempt of the Mellon interests to save the situation in Pennsylvania. Perhaps, knowing the newspapers, I ought not to have been surprised. Still the conference of Mellon leaders — Reed, Pepper, W. L. Mellon, Andrew W. Mellon and various others —at the Washington home of the Secretary of the Treasury and the way they wrestled, fought and prayed with the recalcitrant and unreasonable Vare to keep him out of the Senatorial primaries—and failed—really was a good story; and the time has not yet arrived when the newspaper correspondents in Washington will not send out a good story if they know it. Probably the trouble about this story was they did not know it.

It is too long past now to go into the details. It is enough to say that the Mellons or their representatives went the limit with Mr. Vare in both pressure and promises, but could not shake his determination. He left Mr. Mellon's house late in the afternoon, angry and in fighting mood. The most they could get out of him was a promise to come back next morning for a final conference. He did not go back. The gentlemen back of Mr. Pepper, and Mr. Pepper himself, sat and waited for Mr. Vare. Finally they telephoned for him. Then they sent messengers. Then they went themselves. It was all of no avail. They could not locate Mr. Vare and eventually were forced to the conclusion he did not care for their company and they adjourned their conference with mingled feelings of regret and apprehension. The apprehensions were justified when two days later Mr. Vare announced himself as a candidate against the pious Pepper, insuring a three-cornered contest with the gallant Gifford in the third corner.

A more dangerous situation for the Mellon candidate and the Mellon control of Pennsylvania politics could hardly have been contrived. It has stirred the interests of the political leaders here in Washington as nothing else has and easily takes rank as the most interesting and important primary in the country. Upon its outcome hinges not only the Senate seat of Mr. Pepper but probably the control of the state organization, which may easily carry with it control of the Republican delegation in the 1928 convention from this the most impregnable of all Republican states. In this connection it is not without interest that the very day he failed to show up at Mr. Mellon's house for the final conference with the Mellon leaders, Mr. Vare did show up at the White House, where he had an hour's talk with the President.

When he left the Presidential presence Mr. Vare was smiling. He admitted to reporters that he had discussed the Pennsylvania situation with Mr. Coolidge. A short while later the White House spokesman let it be known that the President would take no part in the fall campaign, that after they were nominated he wished all Republican candidates well, but that he would have no personal candidates of his own—not even his dear friend Butler of Massachusetts—and under no circumstances would he take sides or show favor in any Republican primary contest. No wonder Congressman Vare smiled. Those were sweet words to him and to the gallant Gifford, who at once began proclaiming himself as more or less of a Coolidge adherent, but oh, how bitter they must be to the godly Pepper. Because Senator Pepper has "upheld the hands of our splendid President" higher than anyone else now in the field for reëlection in any state. Senator Pepper has pronounced eulogies on Mr. Coolidge on the stump in Pennsylvania so extravagant that some of his friends feared that his excessive adoration might produce a kick-back. Senator Pepper for Mr. Coolidge's sake scuttled his own World Court plan, submerged his well known views on that subject and stood by the President in the face of ridicule from his colleagues and at the expense of his reputation for consistency and courage.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

And now with his political life threatened in two directions and rough hands snatching at his Senatorial cloak, Mr. Coolidge coldly cuts him adrift, lets it be known in effect that he is no more interested in Mr. Pepper than in Mr. Vare or Mr. Pinchot. Or if he is, he proposes not to show that interest. That's Massachusetts politics for you. In the school from which Mr. Coolidge was graduated the primary rule is "Look out for yourself," not "Stand by your friends."

It would be interesting to know what jolly old Mr. Mellon thinks of this neutral policy of the President's so far as Pennsylvania is concerned. Perhaps he does not know enough politics to know what it means—and would not at his age greatly care if he did. But Reed and Pepper know—and care, too. You bet they do.

Washington. T. R. B.

Portraits in Encaustic

What Maisie Knows

MAISIE has grown very fat now with her sixty years, and settles with difficulty into her orchestra seat, where she sits like a landslide from the floor up to the summit of her shining old eyes. But till the time when years and sciatica and good living and the gradual demise of her cronies had brought her to these correct straits, Maisie was a sinner of the deepest dye, jolly in seeming, rough and ready in her manners, but wicked to the point where her friends were silent, put to it somewhat for exact descriptions. But intelligent—Maisie's worst enemy could not deny her brains. She had a mind, shrewdness and luck, and through them and her hearty evil and her good family connections, she made herself a career. Her business has been a delicate one to describe in the open; she has made a profession of arranging introductions here and abroad, entrées, court presentations, international marriages, newcomers into New York society, and—gloriously of late years—new districts and building schemes to be promoted among the right people, new restaurants and hotels to be given a smart following. It is a calling of well-nigh inexhaustible resources, but Maisie has gone miraculously far toward exhausting them.

This profession and her Babylonian habits have brought Maisie into contact with all the great, prominent, notorious and celebrated of the earth almost, one way or another, and those sharp eyes have noted them and that yet sharper tongue passed them on. For twenty years therefore, as was only natural, people have been saying that she should write her autobiography. Maisie ought to write her memoirs, they said, and what a delicious record it would be of personalities and Vanity Fair, what delectable spices of life, too, with that past of hers, that brain of hers, that rattling ready wit. There might be those who would blush and put the book down, but that was the price of celebrity and propriety. Editors joined in this opinion, one after another has begged Maisie for a book of memoirs. And at last she has written it and it has been published. It appeared weekly in a popular newspaper, was syndicated far and wide and is now to be had in a book.

You should read it. Of all pellucid diaries, private Elsie books! There is no scandal, no confession, no ginger and allusion, and clearly Maisie is within her rights to do as she chooses about that. But she has denied her mind, too, her culture, the play of her distinguished wits; she cuts out comment, intensity and edge; she expects nothing of the reader, she is as brainless as the best. You would think some virgin under her Papa's eye had seen a list of celebrated visitors and famous amiable events and prattled about them to the good editor.

Maisie's friends think none the less of her for this performance. If she had written this insipid wash and failed to make a go of it, that would have been another matter. But the newspaper, and the book following after, sell well, pay well, succeed. Before that fact they themselves, as good Americans, are confused, bluffed. It seems to them only reasonable that Maisie should play the game.

Worm i' the Bud

R—— is a thwarted romanticist, revolutionist, lover and social swell, all rolled into one and all thwarted. All the violent blood in his gentle, handsome body rushes to his head and pours out in words. Theory crowds at those red doors of his lips, to quote the Homer whom, in order to defend his scheme of knowledge and education, he professes to despise. As a result he is a college professor; and what with his donations to causes, blue ribbon chickens and costly domestic establishment and lavish eccentric hospitality, he is usually strapped for funds. Never for words, however, his theories and social salvations, his biological sociological explanations, his principles of art and his lyrical exposition of life, supply a never ending stream of talk for his lectures—which are brilliantly successful—and for his hours at home.

R——'s wife is a Baltimore lady, ten years ago, and even less, a great beauty. Her great black eyes and pale hair and natural elegance, her taste and high sheen of culture and style, are beyond dispute. She is silken and finished, gracious, sure of herself, suave and reticent. There was a time when R—— drank down at one gulp all these qualities together. And at that time, doubtless, Mrs. R——, whatever she may think of it all now, was sure of his power as a lover, his future as a scholar, his social eminence, his daring and prophetic intellectual leadership. Now R—— professes and believes in mutual freedom among married couples—either man or woman, he declares, should go his or her own way. He himself is a faithful husband, but these theories at least make up no little of his conversation; he can quote you reams of modern authors, largely German, from his student days, on the subject of free love. And when he discourses on freedom in love, on men and women's right to follow their individual destinies in love, Mrs. R—— sits very calm and lovely and only smiles. So far as I know she has no theories on the subject. She listens to R—— and looks at the company, smiling quietly. It is when she smiles like that, I observe, that R—— gets on his second topic, frankness in sexual matters. He begins on his theme of sexual reticence, hypocrisy, biological fact and holds up his favorite illustration in all the biology of sex, worms.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

If you want to see an intelligent attitude toward sex, go to the worm, he says, challenging the whole dinner table of us. There you have none of our false modesty and trying to deny the existence of what is a natural and inevitable life force. Bernard Shaw thought he was saying something original with his doctrine of the Life Force and the female pursuing the male to fulfill the plan of nature. Ah, these literary fellows are like that, R—— begins to shout almost—but any fool who was honest could have told you as much all the time. Mark the difference, however, between the worm and the human being! When the female worm desires the advances of the male—some of the company, those new to the household, look a trifle startled perhaps, R—— goes on—when the female desires the advances of the male, what does she do? She does not pretend to flee, she does not affect modest indifference, not at all. She makes direct overtures to him, she attacks him outright and makes her wants known. R—— cites further examples of worm families, mating seasons, stinging particulars, from experiments in laboratories, wild flights in persuasive analogy among the forms of biological life. If there is anything that bores him, he says, it is the hypocrisy of women, the way they live up to the rôle that men have assigned them in order to increase the allure, just as has happened in the matter of dress with women, it is everything for appearance with them, nothing for reality.

He goes on with his romance of the worms, his biological examples and spreading theories. A bullock or a ram would butt his mate down.

STARK YOUNG.

Personality and Identification

AMUSING and recreative values of art are obviously important, and besides, there are moments when art acts decisively on some person or group of persons. A familiar instance is that of John Stuart Mill, who when desiccated by his excessively rational education, was brought into a saner mental state through reading Wordsworth's poetry. It is common for adolescents to find in art a stimulus toward the organization of their budding interests. But in general, art is not in our life an element of first rate significance. The conduct of life is not assimilated to it, for art is taken as something more abnormal than normal, more decorative than essential. In order that things should be otherwise the normality of art must be achieved. But normal art implies a normal artist and a normal public. The artist rather plumes himself on being something very far from normal, and the public plumes itself on being normal for no other reason than that it is the public. As long as that remains the state of things no great advances can be made. Nor can they be made by teaching art. There are no competent teachers, and not much sufficing art. To study this subject thoroughly we must go beyond the actual public and the actual artist, and consider what it is that makes of art so limited a thing. This leads us to discuss the artist's nature and the scope of his vision. But since the artist is but one kind of man we must first consider men in general.

A man has some human characters because he is the son of man. But this mere fact does not make him much of a man, nor one of a very particular kind. The rest of him is education. Through education he becomes a complex self. However, one must not conceive this self as something that exists coherently within his skin, as it were. People commonly believe that they can turn round on themselves and see themselves as from without, but this is not at all true. One can see only things, physical things and mental things, but always things. The self in its quintessence is not one of these things, for it is the active centre of our being with which we start perception, and whose existence we infer but do not experience. We can no more perceive this than the eye can see itself, or than a conscious book could read itself. What happens is that from the start of life the quintessential self begins to collect material. What it senses, feels, thinks, all the results of its activities, it builds up into a great complex of relations, a complex of worlds that it comes to know as the worlds without and within. With some of this the self is so far identified that to appearance this becomes the active self, and this is what in fact we call the self. The more there is of this self, the less there is of the world outside. A man who belongs to the biggest of all countries can do less travelling when away from home than can a man who belongs to a little one. If it should happen that one could learn only by going abroad, such a man would be greatly handicapped.

It does not happen, fortunately, that this is true in matters of geography, but it is true in matters of the self. If we consider how the self develops, this will be evident. The self grows through identifications. What we mean by this can be shown if one will put a finger of one hand against a finger of the other hand, and press against it. The more that he attends to one or the other finger, the one that presses or the one that receives the pressure, the more will that particular finger represent himself, and the more will the other finger get to have the neutral character of a thing. It is difficult, indeed, to feel both finger tips at once. In this case the field of identification is very small, but it may be very large. The *self,* in practice, is whatever we are identified with in action or recipience, and *things* is all that with which we are not identified. The average man has not only the identification with his own personal past, but also with a number of groups, family groups, economic groups, social, national, private, public groups, of many kinds. In each case, to a greater or less extent, he sees things in terms of that group, and by so much less sees the group itself distinctly. When Louis XIV said, "The state, that is I," he ceased to see what others saw as the state, and saw it only as pointing in those directions where his interests lay. The extreme of identification happens to the mystic, for whom the universe and he are one. When he enjoys the fullness of the mystic state, he is incapable of action, even the action of thought, for he has nothing to act on. He is all self, and there is no object whatever. He is all appetite, but there is no food. In the end there is not even an appetite because food has lost its meaning, and the appetite ends in Nirvana.

Identifications are not necessarily constant and can, in point of fixity, be divided into three kinds—the easily separable, the difficultly separable and the inseparable. These

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

correspond quite closely to Freud's conscious, fore-conscious and unconscious. Before applying these distinctions to the artist, let us apply them to such a familiar instance as the judge. A judge may happen to be called upon to render a decision involving the security of private property. In a first case the judge may be the owner of some property, but otherwise may be indifferent to its claims. He renders his decision because he wants to protect himself. He knows what he is doing since he is aware that if his interests were not involved, he might decide another way. A second judge is a conservative. He knows that private property is a conservative factor, and therefore has a bias in its favor. He is contented with the world he knows, and finds within it a sufficing freedom. Property belongs to this world, and he accepts it with the rest. He easily remains true to his kind. There is a third class of judges to whom the possibility of such an adverse decision is meaningless. They believe in private property because for them it is the satisfaction of a primary need whose denial is incredible. It is implied no matter what else may be said, in any act that can have validity. Private property and human nature are, for them, inseparable. Identification with a certain kind of experience is here complete.

We can now turn to the artist and consider how these things apply to him, and how they affect the question of the normality of art. We shall first consider the artistic analogue of our three judges. First we find the artist who is interested in the market, and produces for it as the manufacturer of any other class of goods may do. So far as art is concerned, he is free to do as he likes. His limitations are the limitations of his talent, not those of his artistic impulses.

A second kind of artist is represented by men like Shakespeare, Rubens, Raphael, men who accept the current conventions and do not trifle with them. They will turn their hands to any practicable job, but show a personal integrity in doing it. They have no "message," but they have a "form." They tend to keep in the high-roads of art, although they have their own individual gait. Compared to the first class they are individuals of a marked kind, but yet their individuality admits a good deal of adaptive compromise.

Lastly there are the artists whose identifications with some phases of their past is so complete that they show but little freedom in the presence of things. What they may ostensibly turn their hands to is so dominated by limitations due to these identifications that their response to any object tends to be the same. Blake and Shelley, El Greco and D. H. Lawrence, are like this. Whatever they attempt to say turns to the same thing. That thing seems to them stupendously important. They are like reservoirs with a single outlet. Naturally the pressure is great, and the felt importance is correspondingly great. And since integrity is demanded of the artist, and since integrity is most obvious when the man is a little mad, artists of this kind are now preferred. It was a favorite indoor sport of the nineteenth century to prove that Shakespeare also was a little mad. But I hope to show in the next paper that this kind of integrity has only a small social importance, and that the greater social function of art requires something more.

LEO STEIN.

Dramatic Notes

NIRVANA

A FEW seasons ago Mr. John Howard Lawson's Roger Bloomer and last season his Processional gave him the position of the most interesting and the most promising young dramatist in America. These plays had an eager and strong originality, they had poignancy, theatre instinct and elements of a fresh poetry in them. His new play Nirvana, at the Greenwich Village Theatre, disappointed wholly. It was confused, chaotic and impossible, full of sophomoric insistence, lack of taste, adolescent distraction and emotional banality in the newer style; and the performance was worse than the play.

AT THE NEIGHBORHOOD

A Burmese Pwé, an adaptation from Haydn's Apothecary and Kuan Yin, a Chinese pantomime, compose the bill at the Neighborhood Playhouse. These forms that are attempted are all very special and finely phrased. We should need a Burmese company, a trained group of old-school singers and a company of Chinese artists if we are to get the subtle qualities that make these forms of art what they are and that justify their existence as distinguished from all other forms of art. In this sense the Neighborhood production could not be called important. Nor are these versions at the Neighborhood Playhouse, except for Mr. Ernest de Weerth's contribution to the décor of Kuan Yin, important restatements into our own terms of these far-off qualities.

But seen in its right perspective this venture is another matter. These players and designers who on other nights are exercised in the realistic Dybbuk turn now with excellent success to another problem and have the chance for such range and variety of method and understanding as no other theatre in America affords. And the audience of the Neighborhood Playhouse in this happy coöperation and cultural scope can profit almost as much as the performers. Such a spirit is our theatre's best hope.

EAST LYNNE

It would be easy to say that the production of East Lynne at the Greenwich Village Theatre by the company from the Provincetown Playhouse is merely a repetition of Fashion two seasons ago. To some extent that charge of imitation of method is true, but no more true one way or another than in nearly every production on Broadway. The interesting thing about the East Lynne is the strength of the play. Fashion was a comedy of manners, full of points of view and moral opinion glibly set forth. It lent itself inimitably to the loving irony expended upon it, nothing is easier to smile at than the mannerisms and formal sentiments of another generation, especially a generation somewhat more fussy and less passionate or frank than our own. For a time at the Greenwich Village you smile, most of all at the proprieties of the husband, played so admirably by Mr. Charles Fleming; and there are whimsicalities about the costumes, the coiffures and fur-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

niture. Stuffy and false speeches, windy decorums, would have given a fit opening for irony and teasing. But of these in the play there seem to be few.

What happens in East Lynne is that a powerful set of dramatic forces, of abstract qualities, are set loose and that these, even beyond the author's intentions, strike up an action among themselves that is dramatic and full of universal appeal. Maternal love, betrayal, jealousy, death among children and broken-hearted women, these themes refuse to lend themselves to anything but life. Add to these elements the strongly dramatic mask and dramatic voice of Miss Blair, and the play's insistence on reality gets beyond control. People interested in the problem of survival in the theatre—East Lynne has more than sixty years to its credit—and in a conflict between the drama itself and a clever director's intentions, will delight themselves by going to the Greenwich Village Theatre.

The Moon Is a Gong

Mr. John Dos Passos's new play, The Moon Is a Gong, has a story of a boy and girl and of jazzed and flaring life that cannot be set down in any clear line or made into a plot that will indicate the idea. It is more even than Mr. Lawson's Processional and more single in quality. At the Cherry Lane Playhouse Miss Helen Chandler and Mr. Allyn Josslyn in the leading parts give good performances; the jazz ensembles are much less satisfactory. On the whole The Moon Is a Gong helps to break the ground for freer and more poetic writing in our theatre. But the lines are not really projected into theatre very often, they remain within the feeling of fiction and lyric poetry, rebellious and warm, without being wrought into stage pitch. As literature pure and simple they are suggestive rather than moving, and they lack power and edge.

The Moon Is a Gong, like Processional, is built on the jazz theme. In the first scenes where the relatives of the heroine's mother come to the funeral waltzing and doing the Charleston and feeling their voices leaping about in their throats, full of their lively depressions and mournful delight, the jazz seems really expressive. But when the crowds break into jazz the effect is diverting perhaps, but suggests more revue numbers than anything closely related to the play's dramatic necessity. This indicates the whole shortcoming of Mr. Dos Passos's play. It is entertaining nearly always, it has fine and free intentions and high colored invention; but you do not get the sense of any driving theme of passion behind its origin and its source. It deals with the inside of two lives at least, but however pleasantly we follow their next moves, we are never really concerned or really touched or convinced, either with regard to the characters or the author. The theme of the garbage man, the figure of death taking the waste out of the world of men, runs in and out of the texture of the action; it is effective superficially, but remains rather fanciful than mordant—only at the first entrance does the figure shock and carry the audience's imagination. As a comment on American life this play has much color, very little humor or robustness, and has rich tone rather than solidity.

The Moon Is a Gong is more interesting theatre than most of the season, but it falls far below Processional; its jazz element is not so integrated with the body of the drama; it lacks the powerful emotional gift, the dramatic compulsion, the rough tragic vigor and, most of all, the extraordinary sense of the theatre that Processional showed. The two plays, written at the same time and not imitations of each other, are, however like in intention they may be, strangely distinct in raw conviction and theatricality.

S. Y.

CORRESPONDENCE

Germany Policy vs. Italian

SIR: In your February 17 issue, page 340, I read the following sentence:

> What Italy has been doing in the Tyrol south of the Brenner Pass is about what Germany did in Alsace-Lorraine after 1870.

Allow me to remark that there is a little difference:

As a matter of fact the greater part of the inhabitants of Alsace-Lorraine—especially of Alsace—belongs to the German race (Alemanians).

In 1870, after having been three hundred years under French rule, these Alsatians were still speaking the German language as a sort of slang—just as the Flemish people in Belgium is still speaking a sort of Dutch slang.

The Germans therefore adopted in 1870 or 1871 a real German population (by race and language).

In other districts, chiefly inhabited by a population of the same race as the French people, especially in Lorraine, where the people were speaking no German but French, the German government, after 1871, did not interfere very much with that custom.

It was not before the time of the World War—that is after a forty-five year period of occupation—that, for instance in the district round the fortress of Metz, they began to teach the children in German and to alter the former French names of the villages.

I absolutely agree with you in regard to the article as a whole.

F. J. Vorster.

Bangor, Me.

Whose Ultimatum?

SIR: Mr. John Basil Barnhill's eulogy of Mr. H. W. Massingham in your issue of March 17 contains a strange mis-statement. He says, "Immediately following England's ultimatum to the Boer Republic."

Great Britain addressed no ultimatum to the Transvaal Republic. Instead, the Transvaal addressed an ultimatum to Great Britain. It was issued on October 9, 1899, and required an answer within forty-eight hours.

I have no desire to minimize the courage shown by Mr. Massingham in championing an unpopular cause. But Mr. Barnhill's phrase seems to me a good example of the way in which incorrect versions of the facts can be disseminated.

C. F. Hamilton.

Ottawa, Can.

A Correction

SIR: Mr. Stark Young, in his review of The Goat Song, states that the hide of the monster was brought in by the Jew to be shown for fees. This is an error; it is the scavenger, not the Jew, who does this.

Samuel Hexter.

New York, N. Y.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Russia in War Time

An Ambassador's Memoirs, By Maurice Paléologue. Translated by F. A. Holt. Vols. II and III. New York: George H. Doran Company. 666 pages. $15.

M. PALEOLOGUE'S second and third volumes are concerned with his observations in the Russian capital from June, 1915, to May, 1917, and consequently deal primarily with the background and outbreak of the Russian Revolution. One is naturally somewhat loath to take up yet another work on this subject. The reading public has been so systematically deluged with panegyrics and diatribes that the market for this sort of book would appear to be exhausted. And yet these volumes cannot be too warmly recommended. The first was significant more particularly because of its revelations concerning the origins of the War. These last two deal with other matters. There are few revelations, but an extraordinary wealth of keen observations and sound appreciations. It is not too much to say that M. Paléologue's diary is one of the most substantial sources for Russian history during the war years. Compared with the reminiscences of Buchanan it is a masterpiece. It is almost indispensable for an understanding of one of the most remarkable chapters in modern history.

The French ambassador to the Imperial Court was particularly fitted to tell the story of the great drama. He was an outsider, whose very position obliged him to watch all developments closely, and at the same time enabled him to see and hear more than could the ordinary mortal. Then again, he was an historian, who saw events in their larger setting. And he had the artist's insight for singling out what was relevant, to say nothing of a facile pen for describing in unforgettable words the stirring incidents of those tumultuous days.

The point of view of M. Paléologue is especially noteworthy. Although the representative of a republic he had no grudge against autocracy as an institution—at least not against the Russian autocracy. It was for him the keystone of the whole national structure. The autocratic Tsars had built up the Russian state and they alone could hold together the confusing medley of races, they alone lent unity to the black ignorant masses. The institution was necessary at least until the end of the War, and even beyond. Reform in the direction of constitutionalism might be desirable and even inevitable, but it could come only gradually. So long as the masses remained illiterate the abolition of Tsarism would mean the disruption of the state and the beginning of anarchy.

The difficulty, then, lay not so much in the institution itself as in those who represented it. The bureaucracy had long since escaped effective control and the administration was rotten. All this is ancient history, and it had been shown by the Crimean War and by the subsequent conflicts in which Russia had been engaged that at best the system could hold its own in normal times. Alexander III recognized the fact and scrupulously avoided trouble. It is remarkable how much rotten government peoples will put up with, and the Russian people was renowned for its long suffering and patience. But Nicholas II was the most pathetic figure who sat on a throne in modern times. His accession marks the disappearance of the last vestige of statesmanship in the imperial control—one is almost tempted to say the disappearance of ordinary common sense. Lacking all faith in himself he could not tolerate superior ability about him. The Wittes and even the Pobiedonostsevs vanished. Wild men and villains steered the country into the war with Japan and the result was the first revolutionary outbreak. Neither the Tsar nor his advisers learned by it. The men who plunged the country into the World War were not only villains, they were traitors—they were fools who apparently failed to realize that they were preparing the scene for their own execution.

If Russia could not whip Japan in 1904-1905, what chance could she have against Germany in 1914? The Allies had their hands full. Russia was just good enough to tie up thousands of Germans on the Eastern frontier. To keep her in the struggle she was baited with the promise of Constantinople. But it was all of no avail. The collapse came only too quickly and the Russian people, always prone to discouragement and pessimism, were grumbling before the War was well under way. Not only the military but the political and social disaster was threatening by 1915. The more pronounced the danger became the more easily the Tsar fell under the influence of those who promised salvation. His wife, a neurotic and religious fanatic from the beginning, gained greater and greater ascendancy over him the more irresponsible she became. Behind her stood the "dirty dog," Rasputin, probably sincerely convinced of his own supernatural powers and at any rate enjoying the authority he was able to exercise. With his creatures in the Holy Synod he managed to undermine the mainstay of the autocracy and to bring the Orthodox Church into disrepute. With his creatures in the administration—the Stürmers and Protopopovs—he managed to render illusory any hope of reform or even of half-way efficient conduct of the War. By the end of 1916 the whole court was enslaved to the "sinister influences." While poor Nicholas was still standing by his oath to fight until the last enemy had been driven from the soil of Holy Russia, the Court itself was obsessed with one idea—to save the autocratic régime, to break away from the disastrous alliance with the democratic powers and to seek safety in a renewed alliance with the Central Empires. The poor Tsarina was even convinced that Constantinople could be won only by the aid of the Kaiser.

Under the circumstances the Russian people was practically invited to revolt. The marvel of it is that it waited so long. After reading M. Paléologue's notes one comes away with the impression that the heroic element was sadly lacking in the ranks of the upper classes. The high aristocracy never got beyond murdering Rasputin and plotting an eighteenth century palace revolution, the aim of which was to induce the Tsar to abdicate in favor of his son and to have the Tsarina incarcerated in a monastery. A stern word from the master was enough to frighten the whole lot of Grand Dukes and Duchesses out of their wits. None had the courage of a Catherine II or of the assassins of Paul I. They left the Tsarina to weep over the bloated corpse of Rasputin while Protopopov spent his nights in conjuring up the spirit of the dead mentor. The upshot of it all was that they had deprived the imperial family of its last stay and comfort, for "in the intervals of his fornications he gave them advice for the good of their souls and the government of the Empire." Henceforth the Court was totally helpless. Then there were the Liberals in the Duma, the Octobrists and the Cadets, Rodzianko, Guchov, Miliukov, Maklakov and the rest. But they too were an antiquated lot, men of 1848 not of 1917. Advocates of a constitutional monarchy which was inconceivable under existing conditions, they spent their time in calling for a responsible ministry when the most crying social evils were demanding a solution. Thoroughly patriotic at heart, they advocated a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fight to the finish when the country was exhausted and weary of a conflict in which success was out of the question. The Liberals wanted a revolution—a nice orderly one, in which their demands would be supported by the army. But the revolution was to come when the battle was over—that is, when the revolution would already have come under other leadership or when Tsarism, lifted to victory on the shoulders of its allies, would have been more firmly entrenched than ever. The Liberals were not the men of the hour. The Revolution took them by surprise and found them unprepared. In the days of March and April, 1917, they were like men who saw the train pulling out and were dragged along with one hand on the rear rail. Even then Miliukov insisted that the Provisional government had its power not from the Revolution, but by inheritance from the Grand Duke Michael!

As for the Radicals, the Social Revolutionaries and the Social Democrats, they stood head and shoulders above the rest. They had really learned from the Revolution of 1905. The former realized that their land reform could be effected only after the Tsarism had been overthrown by concerted action in the cities, while the latter had learned to appreciate the importance of winning over the military forces. Propaganda had begun in the army at an early date, and keen observers like Paléologue were not slow in discovering that the really practical men were in the Labor group—that Kerensky was the man of the future. It may be that the outbreaks in March were "absolutely spontaneous," as the Cadets claimed, but there can be no doubt that the astonishing defection of the troops was the result of systematic work by the Radicals. There is nothing to be wondered at in the ease with which the Soviet and the leaders of the mutinous troops joined hands in opposition to the Provisional government. Both the Liberals and the Radicals represented only very small minorities in the population, but the Soviet was active and possessed real brains. Knowing its own weakness only too well it preferred to let the Provisional government shoulder the responsibility while it retained the power. The Liberals certainly allowed themselves to be duped, and had the fear of Lenin not driven the Soviet into the fatal mistake of supporting the War and the disastrous offensive of 1917 it might have retained control. The fact was that the leaders of the Soviet, superior in every way to the men of the aristocratic Fronde or the Liberal idealists, themselves failed to realize that peace was the most immediate need. Paléologue declared that Russia needed at least a Danton. It found a Lenin. Out of the slough of anarchy which everyone had predicted he raised a new autocracy without which Russia could not be saved.

This is the barest outline of the story as M. Paléologue tells it. No retailed account can reproduce the fine nuances and the exquisite mastery with which the theme is developed in his notes. Nor can one do more than lavish praise upon those inimitable pages in which he tells of the murder of Rasputin, coaxed to the house of his assassins by the prospect of converting a charming woman, for once in his life decently dressed in

> wide trousers of black velvet disappearing into new top boots, a white silk blouse with blue embroidery and a sash of black satin trimmed with gold braid, which was a present from the Tsarina.

There are countless others, all combining to give the book the rare epic quality so well suited to the theme.

WILLIAM L. LANGER.

Mines into Factories

The Miner's Freedom, by Carter Goodrich. Boston: Marshall Jones Company. 189 pages. $2.

WITH the doom of the miners' union already sounded by those intellectual alarmists who see all the coal of the country being mined by machinery manned by morons, it is well that we have the facts at hand in this earnest, thoughtful study by an extraordinarily human economist. After a year's investigation in both union and non-union mines and close association with mine workers, mine managers and technicians, Carter Goodrich has written this book showing the trend toward the mechanization of the coal industry and the effect of the machine technique upon the traditional freedom of the miner.

Goodrich begins with a study of the old undiscipline of the isolated, unbossed craftsman of coal and then submits his evidence of the onward sweep of the machine process which in certain non-union mines has brought the discipline of the factory régime. For a picture of the miner against the background of his working life, for a description of the nature of his work and an understanding of his peculiar psychology, no thesis on coal equals his two chapters on the jobs and the rights of the miners. From the skilled craftsman with his traditions of the gob pile, he turns to an array of facts concerning loading machines, face conveyors and other efficiency methods. At first glance this picture is indeed disturbing and one might easily conclude that the skilled miner is rapidly becoming extinct and that, as one operator boasts, the miners are being reduced to mere laborers who'll do what they're told. But when Goodrich comes to weigh his evidence we find that less than 2 percent of the nation's coal supply is produced by these new methods. Moreover, this economist concedes that something at least of the old independence will remain characteristic of the industry as long as the union and the mine committee survive.

The machine enthusiasts are in the main technicians and machine manufacturers. Not even a good-sized minority of operators are converted to the new technique. These machines represent a considerable investment and it is still a question whether underground conditions will permit the machine process to be universally applied. Types of loading machines now in use are restricted to certain portions of certain fields and even to certain portions of certain mines. They are not always economical even where practicable. But even if the machine process were made generally workable and accepted by the industry, what of the deluge of coal that would follow? Too many factors enter into the coal problem to permit a solution by the genius of the technician alone. Goodrich is inclined to agree with those economists who "see the future of the process as one of successive rapid advances and sharp set-backs, rather than a steady and uninterrupted increase of the new technique."

In the meantime what of the miners' union? It has no settled policy. Certainly it will be a policy of bargaining as is the case in those union mines where machine experiments are now in process—here the miners do not feel themselves reduced to the level of factory workers. As Goodrich does not fail to note, "in spite of past changes in equipment there has been a surprising continuity of the miner's traditions"; and in spite of the fears and fancies of our friends, it is this writer's conviction that the miners' union will survive the innovations of the machine.

EDWARD A. WIECK.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Who Is Florida?

The Truth About Florida, by Charles Donald Fox. New York: Simon and Schuster, Inc. 232 pages. $2.
Let's Go to Florida, by Ralph Henry Barbour. New York: Dodd, Mead and Company. 288 pages. $2.
Florida in the Making, by Frank Parker Stockbridge and John Holliday Perry. New York: The DeBower Publishing Company. 351 pages. $3.

THE histories of rich discoveries are invariably alike. First comes the prospector, with tobacco juice in his beard and the light of an undying hope in his eye. He sells his claim to the first plausible stranger and drinks up the proceeds. The stranger is bought out by some one even more plausible than himself, and in time the new find is owned by a corporation in New York or London, which, if all goes well, mails dividend checks on the fifteenth of every third month. The prospector's son goes to work on his father's former claim at day wages. Then come labor unions, strikes, lockouts, pension plans, sanitary shower baths and the Y. M. C. A. Industry has run another cycle. Progress has edged a step nearer the stars.

These three books furnish evidence that something like this has been going forward in Florida. The fact that Florida's gold consists of climate, proximity to large centres of population, a fertile soil and the natural gullibility of the human race does not change the picture in any important way. In profit-making opportunities Leadville and the Comstock Lode represented small change compared with Florida. The only uncertainty is, not as to the possibility of large gains, but as to the identity of those who will get them. For a time matters were seriously disorganized and strange things happened. Widows struggling to support themselves by keeping boarders in houses left them by their husbands in back streets of Miami suddenly became wealthy. Mechanics, painfully buying homes upon the instalment plan, blundered into affluence. Men paid a few hundred dollars for a strip of beach upon which to build a shack and retire occasionally from the world; and a few mornings later the world motored up with a contract and several hundred thousand dollars.

This was irregular and had to be stopped. So then came the "binder boys." These youths, some of them fresh from the cloak-and-suit trade in New York City, bought options on valuable lands for as low as $250, and then sold the options at a dizzy rate of profit. Pieces of land changed hands eight or nine times a week, with the prices always soaring. The "binder boys" did so well that the old-line real estate dealers were obliged to take measures which put them out of business. But by this time prices were inflated beyond recognition, though Messrs. Frank Perry Stockbridge and John Holliday Perry have the assurance to assert that "most Florida property has been sold too cheaply." The land upon which men of small capital could make quick and easy profits was no longer in the market.

Then came the next, and final, stage—development by large capital. Neither the shoe-string operator nor the home seeker will dominate this stage. The Florida pioneer will find some one on the spot, armed with a deed and a request to stand and deliver. On this topic Messrs. Stockbridge and Perry say:

> While there are still more than twenty million acres of undeveloped land in Florida, mostly forest, the man who wants a piece of it for a ten-acre farm or a half-acre building plot can't buy it. It is held in huge tracts, ten thousand, a hundred thousand, half a million, sometimes a million acres under one ownership; railroad companies, lumber companies, cattle ranches and the like.

Richard Ringling "has bought 75,000 acres near Pensacola and is bringing 1,000 California vineyardists on to raise grapes"; "the B. D. Hoover people of Chicago have bought between 900,000 and 1,000,000 acres along the coast from Cedar Keys south and are buying half a million acres more"; in short, "that is a game for capitalists, and a list of capitalists who have invested and are still investing in Florida land would be almost a transcript of the 'Directory of Directors.'" As a letter writer quoted approvingly by Messrs. Stockbridge and Perry observes:

> Of course these tracts will be divided, redivided and redivided again, and then subdivided; but these birds with big money figure that they stand to win big by buying property along the Gulf coast at the prices that have prevailed—and they do.

Florida's appetite for settlers grows by that it feeds upon. A 29 percent increase in population between 1920 and 1925 merely whetted it. The Chambers of Commerce scramble frantically for the traffic which lines the pockets of their members; communities are authorized by law to levy taxation for publicity purposes. Mayor Forrest Lake typifies the spirit of the new Florida, thinks Mr. Fox, when he leads the business men of Sanford in singing:

> Yes, we have no old fossils,
> We have no old fossils today.
> In 1920 we had them aplenty,
> But now they have all passed away.
> We have a live Chamber of Commerce,
> Rotary and Kiwanis,
> But now we have no old fossils,
> There are none left in Sanford today.

Mr. Fox doesn't think he has ever met a municipal official who "exhibited so many outward signs of pep and power." But one Lake is not the whole ocean. Real estate men, bowed down by the burden of revealing Florida to the world, thrill as their spokesman rises reverently to announce, "Gentlemen, the truth about Florida is a lie." Laws are passed in frantic haste to make smooth the path of the opulent, who in Florida are freed by constitutional amendment, passed in 1924, from the haunting dread of income and inheritance taxes. Corporations chartered under Florida statutes may do almost anything except throw spitballs at the teacher. The state government is proudly pointed out as innocent of those expensive commissions which burden tax payers and frighten business men in less favored states. Automobiles may go forty-five miles an hour on Florida's roads. There is probably not a community in America—not even Southern California—where the man of wealth can count on having his boots so thoroughly and regularly licked. No other inference is possible from the ingenuous revelations of the authors of Florida in the Making and The Truth about Florida.

But Florida doesn't want the penniless idler. The whole lofty fabric of inflation must rest at last upon the farmers, the clerks and the skilled laborers who have little more than their sweat to invest. That their returns will not be excessive will be made certain before they arrive. Every acre of farm land will be screwed up to the highest pitch the tenant or buyer can possibly stand. Wages of skilled labor, though kept relatively high for a time by

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the spurt in building operations, will eventually obey the law of supply and demand. That is, they will be lower than in less desirable climates. It makes little difference whether the boom is a real boom or only "a fair and modest discount of the future," as Messrs. Stockbridge and Perry insist. The cream is being skimmed off the milk. There may be a collapse of speculative values, but the wealth created by population will be largely cashed before the population arrives.

"Florida," says Mr. Fox, "has climbed so rapidly that already her hand is searching for the topmost rung." Who is Florida? Well, if a state can be personified at all, Florida is George F. Babbitt.

R. L. DUFFUS.

Personable Melodrama

The Clio, by L. H. Meyers. New York: Charles Scribner's Sons. $2.

The Orissers, by L. H. Meyers. New York: Charles Scribner's Sons. $2.50.

TWO years ago Mr. Meyers presented the world with a massive first novel of 555 pages, The Orissers, in which, with a style which seldom falls below the portentous, he essayed the unrolling of an involved and elaborate canvas. Obviously the author felt his divine mission to be the searching analysis of human personalities. Yet the reader is not long in arriving at the quaint conclusion that the structural backbone of the book is melodrama. The old familiar motifs come rattling forth one by one—murder, clandestine love, the burning of a document, the substitution of one document for another by a ruthless female. Indeed, one might go so far as to say that only when moving on melodramatic wheels does the narrative move at all, so confused is it in point of view, so unmotivated in its straggling from one set of circumstances to another. Yet in one direction Mr. Meyers attains a very high degree of eminence. The beauty and delicacy of his treatment of natural background are above praise. His instinct for setting the stage is unerring. The contrast between the sparing potency of these strokes and the labored multiplicity of detail in his handling of human relations is startling.

Turning to The Clio, Mr. Meyers's second offering, one notes certain very definite shifts of workmanship. He has completely thrown over the ponderous earnestness of The Orissers. Here he drives a pose of casual sophistication to the verge of burlesque. This lighter touch makes a thinner tale but a more readable one. From melodrama he has not freed himself; indeed he offers unblushingly that most threadbare of melodramatic themes, a South American revolution. Briefly, a group of smart English society folk ascend the Amazon River in a steam yacht, ostensibly on a pleasure trip, but, as it appears later, to suit the purposes of a blasé young peer, who has financed a revolution to give himself a thrill. Scrutinizing Mr. Meyers's work thus far, one fails to discover either vitality or power. But in his new bag of tricks as in the old the great feature of interest and beauty is his natural background. He has reached out boldly for a background that, in the realm of fiction, is almost new, and has handled it with masterly stroke upon stroke that reveal the sweep, the quality and the emotional reverberation of the jungle. It is conceivable that had Mr. Meyers gained a profound and intimate knowledge of river and jungle, he would not have used them as background for this trivial and somewhat sordid tale. But the fact that his local color is clearly not a matter of knowledge but of notebook does not greatly impair its value; nor does the fact that his imagination is often at fault as to what one may do in the jungle—or, for that matter, what the jungle may do to one. The guess might be hazarded that Mr. Meyers has made the "Hildebrand Trip—Liverpool to Manaos and return in eight weeks, with twelve days on the Amazon." Yet the fact remains that he has dealt magnificently with the mighty river. He has penetrated swiftly and ardently to its essential mystery and meaning.

E. B. HOLDEN.

Instructive Criticism

Studies in Seven Arts, by Arthur Symons. New York: E. P. Dutton and Company. 324 pages. $3.50.

THE reprinting of Arthur Symons's Studies in Seven Arts with the addition of thirteen new essays is a valuable contribution to the study of æsthetics. Covering a period of nearly forty years, the collection represents a development in artistic judgments that is as interesting historically as it is stimulating to the reader's own critical sense. What we need, as seekers for æsthetic truth, is just such instructive criticism as this skilful analysis of beauty in many forms. Symons possesses an ideal combination of critical qualities: an almost mystical "recognition" of beauty, meticulous investigation of method, a piercing insight for the ideal of the artist and sympathetic presentation of his problem, with a reasoned judgment as to its successful solution. Each one of these "studies" is an enlightenment—in many cases more vivid than by direct contact with the work of art. In the case of Watts, for example, an almost extinct interest is rekindled by the fire of Symons's enthusiasm, and the critic's word-picture of Paolo and Francesca is a sharper emotional image, a completer portrayal of passion, than the painting he describes. By the magic of his visual suggestion there is conjured up before the reader's imagination a complete composition of color and line with an accompanying emotional content — which justifies the inclusion in this group of essays of comments upon current exhibitions that, lacking Symons's infectious clairvoyance, would read like a picture catalogue.

Perhaps because of this critic's essential kinship with the creators of images one tends to stress his studies of painters, but the essays on Beethoven, Wagner and Strauss are equally illuminating and more composed in form, more skilled in method than the flashes of intuitive genius of the briefer notes. The technique here is less that of the intellectual mystic than of the master surgeon—a penetrating investigation of structural principles, the mechanics of the beautiful. In The Ideas of Richard Wagner we get the conception of universal art which underlies Symons's own reiterated theme of beauty as an absolute, with manifold expressions in the several arts. For him art speaks a universal language which he employs in the interchangeable idiom of his own verbal delineation.

This group of portrait-studies of artists and their work is gathered, like the students in Rembrandt's Anatomy Lesson, about the central subject—the analysis of the structure of art. As his great fellow-craftsman immortalized the beauty in science, Symons in this masterly word-painting transmits a revelation of the science in beauty.

DOROTHY BACON WOOLSEY.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Old Days in Italy

Orvieto Dust, by Wilfranc Hubbard. New York: Minton, Balch and Company. $2.50.

Shadows on the Palatine, by Wilfranc Hubbard. New York: Minton, Balch and Company. $2.50.

THERE can be no doubt that the English lover of Italy who wrote these books rejoiced in the task. His reconstructions of life under the Roman Emperors and in the later days of the Goths, his miniature portraits of ancient and modern Italians—poets, priests, nobles, courtesans, peasants and the rest—all suggest the happy and leisurely assimilation of his material. Unfortunately but a small part of his enjoyment has been communicated to the reader.

In Orvieto Dust, Mr. Hubbard sketches pleasantly enough a few typical modern inhabitants of that rocky fortress town. Then with the thought implicit, though not forced, that tempora mutantur et nos mutamur in illis, he places in the hands of one of them an old palimpsest and proceeds to tell the two tales of the past preserved by it. One tale concerns a high-spirited lad living near Orvieto in the time of Theodoric and Justinian, who turned monk, became widely known as the blessed Humillimus and ended his days performing miracles and scourging himself. The other describes the exploits of a certain profligate, Lygdus, banished from Rome by the Emperor Claudius and escaping after many picaresque adventures to the same Etruscan site. Thus in a cleverly conceived pattern there are contrasted with each other and with their epochs the holy Humillimus, the unsaintly Lygdus, Romoletto, a quick-tempered modern Orvietan, and Callistus, the Greek favorite of an Etruscan noble.

Both Orvieto Dust and Shadows on the Palatine—a series of fifteen unrelated and for the most part uninspired dialogues between shades of ancient Romans returned to the haunts of their days on earth—show that Mr. Hubbard has read widely and faithfully. His imaginary pictures of the past, however, are inaccurate in many small details and will hardly satisfy competent historians. To the general reader, untroubled by minor lapses in historicity, they will seem well intentioned and mildly interesting perhaps, but flavorless. He will look in vain for stylistic felicities, interpretative flashes of invention, and philosophical illumination of the ancient scene. Mr. Cunninghame Graham, who introduces Orvieto Dust, serves his author ill by suggesting a comparison with Walter Pater.

GRACE FRANK.

A Poet for the Negro Race

Color, by Countee Cullen. New York: Harper and Brothers. 108 pages. $2.

IF, as some of us would have it, the presence of African slaves at Jamestown was ironically a fertilizing gesture of the Deity, Countee Cullen is a fulfilment of one of the pregnant promises of the New World. Admitting the variant circumstances of being, of heritage and of ideals, the same thing, I suppose, could be said of Miguel Covarrubias or of Vladimir Mayakovsky. And yet, in the light of comparative history, there is nothing rare about a poet emerging upon an inarticulate waste, clothed, so to speak, in a raiment of song which gives form and meaning and a disciplined beauty, in our case, to the accumulated shame and sadness and joy inherent in a minority people.

In this first book of verse by a Negro boy but twenty-two years old there is proof of many synthesized cultures. Spreading over a wide area are the roots of the poet's vision, incisive and unsentimental, fraught with objectives sometimes slightly imperceptible to him. Who does not perceive in the quiet lines to Saturday's Child or in the frost of light turned on Fruit of the Flower the essence of true poetry? In and out of the leaves rise at times a rare opulence, words of daring and a positive wisdom, expressions ripe from a rugged spirit.

Infused with motives of sagacity, conscious of the temper of the present, yet sharing a release from their dying charm, the poems of which The Shroud of Color and Heritage are the most ambitious examples—epical in conception and interesting in content as they are—seem to me to be less effective.

Standing respectfully and assuredly on the premise left by the older Negro poets, Mr. Cullen is so intensely concerned with objectivity—racially, I mean—as to allow it in Color to assume possibly too high a place. But it is presumptuous to attempt to describe the character of emotion which should warm the blood of a poet. It yet is my utmost belief that dissecting the cosmos of the Negro spirit is Countee Cullen's ultimate concern; certainly the urge in that direction beckons strongest.

Ordained is a pretty bloaty word, but if there ever was a poet ordained by the stars to sing of the joys and sorrows attendant upon the experience of thwarted black folk placed in wretched juxtaposition to our Western civilization, that poet is Countee Cullen. ERIC WALROND.

Representative Plays by American Dramatists from 1765 to the Present Day, Volume II, 1815-1858, by Montrose J. Moses. New York: E. P. Dutton and Company. 823 pages. $8.

THE first and third volumes of this series appeared several years ago. Mr. Moses has done well a useful piece of editing: his texts are carefully prepared, his introductions interesting and very full. The volume in hand covers a period of hopeless mediocrity. Uncle Tom's Cabin is the most famous of the plays included. Perhaps the best is Mrs. Mowatt's Fashion, successfully revived two seasons ago at the Provincetown Playhouse. But there is little in these ten plays to break either the wooden pattern of pseudo-classical tragedy or the platitudinous simplicities of the bourgeois drama of sentiment. These Jacksonian heroes! These heroines cast in the fragile mold of Little Eva! Peace to their ashes! H. S.

Contributors

WILLIAM L. LANGER is assistant professor of European history at Clark University. He has made a special study of the diplomacy of the late nineteenth century.

EDWARD A. WIECK, Illinois coal miner, contributes occasional articles on the mining industry to the magazines.

R. L. DUFFUS, the well known magazine writer, was formerly a member of the staff of the San Francisco Bulletin, the New York Globe, and the New York Herald.

E. B. HOLDEN, a graduate of Radcliffe College, has spent many years in Brazil.

GRACE FRANK is the translator of Sudermann's Roses and editor of La Passion du Palatinus.

ERIC WALROND, a young Negro writer, has written articles for Current History, the Survey, the New York World, etc.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Intimate
Individual
Irresistible

The LETTERS of SIR WALTER RALEIGH

Edited by Lady Raleigh

THROUGH an interesting lens Sir Walter Raleigh, for twenty years professor of English literature at Oxford, reveals the quiet charm of the world in which he moved—undergraduate days at Cambridge, travels in Europe and India, the life of an active scholar at Liverpool, Glasgow and Oxford, a life marked always by zest for youthful adventure into every cranny of human knowledge and experience.

No more delightful personal record of an intelligent, observing and witty spirit—a true citizen of the world—has been published in a decade

"A tonic to face life. Read his letters and be caught up into heaven by his keen spirit."—*New York Evening Post.*
"Charming witty, virile and unaffected"—*Baltimore Sun.*
"Gay . . . frank . . . sprightly"—*New York Times.*

At any bookstore, two volumes, $7.00.

THE MACMILLAN COMPANY
60 FIFTH AVENUE ~ ~ NEW YORK

The
LIVERIGHT BOOKSHOP
4 West 49th Street, New York

SPRING BOOKS, 8,000 OF THEM!
To choose from among them, as a poet said is "like picking four-leaf clover in the spring grass."
Every season we have helped you make your selection. Just tell us what you like. And if you have already made your choice—we have the books ready for you. We have made quite a reputation for our quick and careful mail delivery service.

BOOKS & AUTOGRAPHS
Catalogues post free. Early printed books. Old English authors. Classics. Arts. First Editions, etc. **R. ATKINSON, 188 Peckham Rye, E. Dulwich, S. E. London, England.**

FOLDER proposing colonization among undeveloped natural resources, in British Columbia, along lines of Industrial Democracy, sent free by The Coöperative Club, P. O. Box 1248, San Francisco, Calif.

THAT BOOK YOU WANT!
We hold 1,250,000 vols. second hand and new, every conceivable subject. Books on approval. Also Rare Books, Out-of-Print Books and sets of Authors. Catalogues free (20 issued). Outline requirements and interests. Commission executed at sales.
FOYLES, 121 Charing Cross Road
London, England

UNFURNISHED APARTMENT
For rent in charming garden community. Entire floor, two bed rooms, sitting room with fire-place. Real kitchen. Ideal for summer. Terms unusually low. Spring 4165. Evenings. Dr. Smith, 96 McDougal St., N. Y. C.

WANTED—A choice soul, man or woman, to go to Europe with us in my own private limousine. There are two empty seats, and it's a pity not to have one of them used by some one who doesn't happen to know any one with whom to travel or wants to get away from his or her friends and family for a breathing space, and hates the idea of a "tour." Three delightful, care-free months. Entire expense less than twelve hundred. A young daughter would be welcome; an elderly, but active mother whose children might combine to send her; a man and wife who would like to travel together without any worries or cares. I used the car for such a trip last summer, and it was sheer joy for the entire party. References exchanged. Address Box 420—The New Republic.

New York's First Labor Bank

The Amalgamated

Member Federal Reserve System

Safety for your funds and special service for your needs are the two essential things which The Amalgamated Bank is able to offer YOU.

The growth of the First Labor Bank in New York is due solely to the fact that it has been able to assure to its depositors these two things.

The increase in its resources from $500,000 when it opened less than three years ago to nearly

$7,000,000 NOW

is the best proof it can offer that it is performing the services for which it was founded.

Whether you use the FOUR PER CENT INTEREST DEPARTMENT or use a checking account with the Bank all its special services are at your disposal.

We invite the readers of The New Republic to visit its quarters and let its officers show you what it has to offer.

THE TRAVEL DEPARTMENT of the bank is well equipped to accommodate you with all the facilities for travel: steamship tickets, letters of credit, travelers-checks and any other service which will add to the enjoyment of travel.

The Amalgamated Bank

11-15 UNION SQUARE WEST
NEW YORK CITY.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED